

**REQUEST FOR QUALIFICATIONS  
LEASE-LEASEBACK SERVICES**

The Tipton School District is seeking statements of qualifications from qualified General Contractors who are experienced in the construction of public school facilities in Central California, and with the lease-leaseback method of project delivery under Education Code § 17406, for the construction of:

**New Multi-Purpose Building at Tipton Elementary School  
Located at: 370 N. Evans, Tipton, California**

Qualified General Contractors are invited to submit an original plus 5 copies of said statement of qualifications that meet the requirements described herein by no later than **3:00 p.m. on September 13, 2016**, to the following address:

**Miguel A. Guerrero, Ed. D., Superintendent  
Tipton School District  
370 N. Evans, P.O. Box 787  
Tipton, California 93272**

This Request for Qualifications (RFQ) does not commit the District to award a contract or pay any costs incurred in the preparation of a statement responsive to this request. The District reserves the right to accept all or part of any statement or to cancel in part or in its entirety this Request for Qualifications. The District reserves the right to request additional information or clarification during the evaluation process. The District further reserves the right to negotiate changes in and to accept the statement(s) that it considers to be in the best interest of the District. The District retains the right to reject any or all submittals. All respondents should note that the execution of any contract pursuant to this RFQ is dependent upon the approval of the Tipton School Board in its sole discretion.

For instructions for the RFQ response, please contact Miguel Guerrero at (559) 752-4213 or 370 N. Evans, Tipton, CA 93272.

## INSTRUCTIONS FOR RFQ RESPONSES

### I. GENERAL INSTRUCTIONS

A. Submittal of Statements of Qualifications

Submittals must be in strict accordance with the requirements of this RFQ. Any Statement of Qualification not submitted in accordance with the requirements of this RFQ will not be considered. The District will not be responsible for errors or omissions in any Statements of Qualifications. The District reserves the right to reject any and all Statements of Qualifications, or to waive any irregularities, or informalities in the Statements of Qualifications.

Written Statements of Qualifications must be received in the Office of the Superintendent, Tipton Elementary School, in Tipton CA 93272, by no later than **3:00 p.m. on September 13, 2016.**

B. Signatures

All Statements of Qualifications must include a signature of an authorized officer of the General Contractor submitting the statement. The name and title of the person shall be included following the signature.

C. Disqualified Statements of Qualifications

Any Statement received after **3:00 p.m. on September 13, 2016** will be refused and returned to the firm unopened.

D. Withdrawal of Statements of Qualifications

A firm may withdraw its statement, either personally or by written request, at any time before **3:00 p.m. on September 13, 2016.**

E. Copies of Statement

Each General Contractor submitting a Statement must include the original plus 5 copies of the original.

F. Inquiries

In order to control information disseminated regarding this Request for Statements of Qualifications, General Contractors interested in submitting Statements of Qualifications are directed not to make personal contact with members of the Tipton School District Governing Board and Tipton Administration, with the exception of the individuals identified below in "Part II TIPTON CONTACT."

All questions about the meaning or intent of this RFQ shall be submitted to the District in writing. Replies will be issued by addenda and mailed to all parties recorded by the District as having receiving the RFQ documents. Questions received less than 10 days prior to the submittal due date will not be answered. Only questions answered by formal written addenda will be binding.

G. Amendments

The District reserves the right to cancel or revise in part or in its entirety this RFQ. If the District cancels or revises this RFQ, all Respondents will be notified by addenda. The District also reserves the right to extend the date responses are due.

H. Special Conditions

1. Public Record. All Statements of Qualifications submitted in response to the RFQ become the property of the District and constitute public records, and as such, are subject to public disclosure and copying upon request.

2. Non-Discrimination. The District does not discriminate on the basis of race, color, national origin, religion, age, ancestry, medical condition, disability, gender or sexual orientation in consideration for an award for contract. The Respondent must agree to comply with all applicable Federal and California laws pertaining to discrimination, including, but not limited to, the California Fair Employment Practices Act, beginning with Government Code Section 12900, and Labor Code Section 1735.

3. Drug-Free Policy and Fingerprinting. The selected General Contractor shall be required to complete any and all fingerprinting requirements and criminal background checks required by State law and shall also be required to complete a Drug-Free Workplace certificate.

4. Prevailing Wages. Respondents are advised that these Projects are a public work for purposes of the California Labor Code, which requires payment of prevailing wages. The District will obtain from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work. These rates will be on file at the District and will be available to any interested party upon request. Any General Contractor to which a contract is awarded must pay the prevailing rates, post copies thereof at the job site, and otherwise comply with applicable provisions of state law.

5. Securities. Respondents are advised that if awarded a contract they will be permitted, at their request and expense and in accordance with Section 22300 of the California Public Contract Code, to substitute securities equivalent to retention monies withheld by the District to insure performance under the contract.

6. Bonding. The successful General Contractor will be required to furnish a Performance Bond in the amount of one hundred percent of the contract price, and a Payment (Material and Labor) Bond in the amount of one hundred percent of the contract price. Any and all bonds submitted must be issued by a California admitted surety insurer.

7. Limitations. This RFQ does not commit the District to award a contract, to defray any costs incurred in the preparation of a SOQ pursuant to this RFQ, or to procure or contract for work.

8. Costs. Costs of preparing a SOQ in response to this RFQ are solely the responsibility of the Respondent.

## **II. CONTACT**

The District looks forward to receiving a submittal from your firm. If you have any questions regarding this RFQ, please contact:

**Miguel Guerrero, Ed.D.  
Superintendent  
Tipton School District  
370 N. Evans  
Tipton, CA 93272  
(559) 752-4213**

Additional questions regarding the Projects may be directed to the Projects' Architect Chris McLain, c/o Mangini Associates Inc., 4320 W. Mineral King Avenue, Visalia, CA 93291, Phone: (559) 627-0530; Fax: (559) 627-1926

## **III. DESCRIPTION OF PROJECTS**

The District is seeking to retain a General Contractor to construct the following project under the lease/leaseback method of project delivery:

A New Multi-Purpose Building of approximately 14,000 s.f. including associated on-site development.

The Project consists of providing all materials, labor, tools and equipment, supervision of workers and subcontractors, and all other items necessary for construction.

#### **IV. SCOPE OF SERVICES**

For the construction projects the General Contractor must provide all services to be identified in the Lease-Leaseback Construction Contract documents, General and Supplementary Conditions, other contract documents, and those set forth in the District's DSA-approved plans and specifications for the Projects. For Pre-Construction services, it is expected that the General Contractor will provide assistance in the areas of cost estimating, construction-type recommendations, city and county coordination, submittals, plan review and constructability, value engineering, and other related services.

#### **V. FORMAT AND CONTENTS OF STATEMENT**

In order for Statements of Qualifications to be considered, General Contractors must submit Statements of Qualifications in the format described and addressing all of the areas set forth below. The quality of answers, not length of responses or visual exhibits, is what's important. The complete Statement should not exceed 20 pages.

##### **A. Cover Letter/Letter of Interest**

A cover letter or letter of interest of a maximum of one page is required. The letter must include the General Contractor's name, address, telephone number, facsimile number, and name of a contact person. The cover letter should be brief (one page maximum).

Describe how the Scope of Work will be accomplished for the District, identify the team members (i.e., joint partners and sub-consultants); and include the title and signature of the firm's contact person for this procurement. If the firm is proposing to co-respond with another principal firm, the cover letter must specify the type of services to be provided by each firm and the proposed percentage allocated to that phase or function of the service. The signatory must be a person with official authority to bind the company.

##### **B. Mandatory Qualifications**

Respondents must hold a General Building Contractor License (B License), which is current, valid and in good standing with the California Contractors State License Board. Provide the following information for each licensee:

Name of license holder exactly as on file

License Classification

License No.

Date Issued

Expiration Date

Whether license has been suspended or revoked in the past 5 years. If so, explain.

C. Organization, Credentials, and General Background

Please provide a brief history of your organization, including:

1. Number of years the organization has been in business.
2. Location of office that will perform the work required by this Request for Statements of Qualifications.
3. List of basic services provided by your organization.

D. Qualifications and Experience

Describe the experiences and background of your organization in providing the construction services required by this Request for Statements of Qualifications, especially public school facilities in Central California, and experience with the lease-leaseback method of project delivery.

E. Projects' Teams

1. Identify key team members for these Projects and provide their qualifications.
2. Describe how the Projects would be staffed.

F. Financial Information

Please provide the following financial information:

1. Attach a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue surety bonds in the State of California, which states that your current bonding capacity is sufficient for the Projects.
2. Attach a letter from the insurance company indicating ability to provide insurance. The following is a tentative schedule:

A.M. Best financial rating of A:VII

Commercial General Liability Insurance: Commercial General Liability Insurance shall be at least as broad as Insurance Services Office General Liability Coverage (Occurrence Form CG0001.) One Million Dollars (\$1,000,000) for per occurrence for bodily injury, personal injury and property damage/ Two Million Dollars (\$2,000,000) aggregate.

Automobile Liability Insurance: Automobile Liability Insurance shall be at least as broad as Insurance Services Office Form Number CA 0001 covering Automobile Liability, Code 1 (any auto). One Million Dollars (\$1,000,000) for bodily injury and property damage each accident limit.

Worker's Compensation and Employer's Liability Insurance: The General Contractor and all subcontractors shall insure (or be a qualified self-insured) under the applicable laws relating to workers' compensation insurance, all of their employees working on or about the construction site, in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any Acts amendatory thereof. The General Contractor shall also provide employer's liability insurance in the amount of at least One Million Dollars (\$1,000,000) per accident for bodily injury and disease.

Builder's Risk Insurance: The General Contractor shall provide and maintain builder's risk insurance (or installation floater) covering all risks of direct physical loss, damage or destruction to the work. Limit shall equal bid amount, if requested by the District.

All insurance will be in a form and with insurance companies acceptable to the District. Insurance carriers shall be qualified to do business in California and maintain an agent for process within the state.

G. Client Satisfaction/References

Provide a list of at least three educational client references for which your organization has performed construction services similar to those required by this Request for Qualifications. References must include:

- Name, address, telephone number, and a contact person of the client.
- Name, address, telephone number, and a contact person for the architect(s) working on the project(s).
- Describe the project(s) on which your organization provided services.

H. Price Structure and Fees.

Describe the method and price structure you expect to propose for charging fees and costs for the Projects described in this Request for Statements of Qualifications. Include method and price for the proposed pre-construction services.

I. Methods and Strategic Plan

Describe your methods and plan for carrying out the Scope of Work.

J. Change Orders

Describe your methods and costs/markups relative to handling change orders for both Owner-directed changes and for changes related to work needed to provide a completed project and document errors/omissions.

K. Lawsuits & Actions

Describe your history with School Projects, detailing ANY Lawsuits, litigations, mediations that have occurred in the past five years. Indicate for the same period of time any losses due to Liquidated Damages or other settlements that might have occurred. State the issues in the litigation, the status of litigation, names of parties, and outcome.

## VI. SELECTION PROCESS

The process that will be used by the District in selecting a firm to perform services as outlined in this Request for Statements of Qualifications will be as follows:

A. Selection Committee

The Superintendent will appoint a Selection Committee.

B. Written Statements of Qualifications

Written Statements of Qualifications must be submitted by no later than **3:00 p.m. September 13, 2016.**

C. Review of Statements of Qualifications

The Selection Committee will review the written Statements of Qualifications submitted by General Contractors in response to this Request for Qualifications.

D. Oral Interviews

At its discretion, the Selection Committee may conduct oral interviews with one or more submitters, including a discussion of value engineering issues, before making a recommendation to the Governing Board. These interviews would be conducted on a date to be selected, if determined to be needed by the Selection Committee.

E. Governing Board

The Tipton School District Governing Board is expected to make the final selection of the qualified General Contractor within 30 days of the submittal date.



## VII. EVALUATION CRITERIA

All Statement of Qualifications submitted received by the District will be evaluated to determine the General Contractor(s) that can best meet the needs of the District, the requirements of the Projects, and the services to be provided under the Agreements. The selection criteria may include, but not be limited to, the items listed below:

- Conformance to the specified RFQ format.
- Organization, presentation, and content of the submittal.
- Completeness and quality of the Statement.
- Ability to communicate with District personnel, the Architect, and other personnel on the Projects, which will include a weekly construction meeting with the District and all project personnel.
- Experience and expertise of the organization in providing general construction services.
- Specialized experience and technical competence of the firm(s), (including principal firms, joint venture-partners, and sub-consultants) considering the types of services required; the complexity of the projects; record of performance; and the strength of the key personnel who will be dedicated to the Projects;
- Proposed methods and overall strategic plan to accomplish the work in the timely and competent manner;
- Knowledge and understanding of the local environment and a local presence for interfacing with the District;
- Financial resources and stability of the principal contractor and/or a contractor team; and
- Ability to meet the insurance requirements unless the District, at its sole discretion, decides to modify or waive the insurance requirements or elects to provide Projects insurance.
- Recommendations and/or visits to completed projects.
- Past record of delivering public, educational projects on time, within budget and without legal claims.
- Oral interview (if needed).
- Price structure/fees.
- Proposed use of local subcontractors.
- Experience with State and local authorities for school facility projects, DSA, Office of Public School Construction requirements, Tulare County, DVBE, lease-leaseback agreements for school projects, etc.
- "In its sole discretion, the District may give priority to and select a General Contractor headquartered in Tulare or Kings County."

## CONTRACT TERMS AND FINAL PRICE AND PAYMENT STRUCTURE

### A. DVBE Requirements

The District will require the successful Contractor to show it has achieved the minimum goal of 3% DVBE (Disabled Veteran Business Enterprises) participation in these Projects, or to provide acceptable evidence of good faith efforts to do so. This shall be done by submission of completed DVBE documents using the District's forms. The successful General Contractor must submit the completed forms before entering into the Lease-Leaseback Construction Agreement, Site Lease, and Facility Sublease with the District.

### B. Contracts

As soon as possible after selection, the District will begin negotiations with the firm deemed most qualified. After review of a Project's plans and specifications, the successful General Contractor must then prepare his/her final cost proposal for that Project, along with a list of all proposed subcontractors for the Projects, and their bid prices. The District reserves the right of approval for all subcontractors and may require the General Contractor to provide competitive bids for some or all of the trade work, including work to be self-performed, on an open-book basis. The District will consider renegotiating the scope of the Projects to get the costs to acceptable levels.

The successful General Contractor must enter into a Lease-Leaseback Agreement, Site Lease, Sublease Agreement, and related contract documents with the District for each Project, in substantially the form to be furnished by the District. If agreement on the scope of the Projects and compensation cannot be reached, then the District will terminate negotiations with the first firm, and open negotiations with another firm.

The District reserves the right to incorporate additional terms and conditions it determines to be proper or necessary into any contract negotiated as a result of a Statement submitted in response to this Request for Qualifications, including but not limited to any "value engineering" changes negotiated with the successful General Contractor.

**OFFER TO ENTER INTO CONTRACTS**

The undersigned hereby proposes to enter into contracts with the Tipton School District and to furnish services as described in this Request for Qualifications.

<u>Name and Address of General Contractor</u>	<u>Signature of Authorized Officer or Employee of General Contractor</u>
_____ Name	_____ Signature
_____ Address	_____ Name
_____ City and State	_____ Title
_____ Telephone Number	_____ Date
_____ FAX Number	_____ General Contractor License Number

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