

**EAST SIDE UNION HIGH SCHOOL DISTRICT
REQUEST FOR QUALIFICATIONS
EV COUGAR HALL, LIBRARY AND VALLEY MODERNIZATION PROJECT
DESIGN-BUILD SERVICES
RFQ-03-19-20**

East Side Union High School District ("District") is seeking to prequalify design-build entities or design-build teams to submit proposals to design and construct the District's **EV Cougar Hall, Library and Valley Modernization Project** ("Project"), in accordance with Education Code section 17250.10 et seq. Only respondents that have been prequalified by the District in response to this Request for Qualifications ("RFQ") will be eligible to submit proposals in response to the District's subsequent Request for Proposals ("RFP") for the Project.

Respondents to this RFQ shall submit a fully completed and sealed Statement of Qualifications ("SOQ"), using the District's standard prequalification template for design-build projects, as further described herein, to:

EAST SIDE UNION HIGH SCHOOL DISTRICT
830 North Capitol Avenue, San Jose, CA 95133
ATTN: Janice Unger, Director of Bond Purchasing & Contracts
RFQ-03-19-20

ALL SOQS ARE DUE BY 02:00 P.M. ON WEDNESDAY, OCTOBER 2, 2019. Oral, telegraphic, facsimile, telephone, or email SOQs will not be accepted. SOQs received after this date and time will not be accepted and will be returned unopened.

Questions regarding this RFQ may be directed in writing to the Director, Bond Purchasing & Contracts, Janice Unger at ungerj@esuhsd.org and must be submitted on or by **02:00 P.M. TUESDAY, SEPTEMBER 24, 2019.**

I. RFQ SCHEDULE SUMMARY

The District may change the dates on this schedule without prior notice.

DEADLINE	ACTION ITEM
September 11, 2019	Release of RFQ.
September 24, 2019 at 02:00 P.M.	Last day to receive written questions from respondents.
September 30, 2019	Last day for District to issue addenda or answer questions.
October 2, 2019 at 02:00 P.M.	Deadline for submissions in response to RFQ.
Week of October 14, 2019	Notice to prequalified respondents.
<i>Anticipated</i> October, 2019	Release of RFP to prequalified respondents.

II. PROJECT DESCRIPTION AND SCOPE OF SERVICES

Pursuant to Education Code section 17250.10 et seq., the District is seeking a design-build entity or team (“DBE”) to design and construct the District’s EV Cougar Hall, Library and Valley Modernization Project (“Project”). The Project is further defined in the attached **APPENDIX A**, along with the District’s expected cost range and schedule for the Project. The District’s performance specifications, which the selected DBE must adhere to in delivering the Project, will be made available to prequalified respondents at the RFP stage.

The selected DBE must be appropriately licensed and registered in the State of California for architectural, engineering, and construction services as needed to complete the Project. In addition, the selected DBE shall have experience with both design and construction of public school facilities and in working with the Office of Public School Construction (“OPSC”), the Division of the State Architect (“DSA”), and Title 24 of the California Code of Regulations.

The selected DBE must be registered with the Department of Industrial Relations (“DIR”) as required by law. The selected DBE will be required to comply with the Labor Code prevailing wage requirements and the District’s bonding and insurance requirements. The selected DBE shall be required to work cooperatively with District staff, the Board of Education, all other technical consultants, the bridging architect, the project inspector, and any program and/or construction manager, if any, retained by the District for the Project, citizens’ oversight committee, other District committees, and the community to facility timely and professional completion of the Project.

III. DESIGN-BUILD PROCUREMENT PROCESS

Pursuant to Education Code section 17250.25, procurement of a DBE will follow two (2) phases:

1. Prequalification – First, the District incorporates by reference the prequalification questionnaire and uniform rating system through Quality Bidders. All contractors and MEP subcontractors are required to be prequalified pursuant to the District’s prequalification requirements. In this RFQ, the District is requesting a Statement of Qualifications based on the significant factors the District reasonably expects to consider in evaluating qualifications are identified in Section VIII, below.
2. Design-Build Competition – Second, the District will issue a RFP, inviting only prequalified respondents to submit competitive sealed proposals for the Project. The District will use a best value selection method for evaluating proposals. The procedure for final selection will be as follows:
 - a. The District will evaluate responsive proposals using only the criteria and selection procedures specifically identified in the RFP.
 - i. To those respondents selected to submit a proposal in response to the RFP, District will pay a Stipend in the amount of \$7,500 to each non-successful Design-Build Entity that submits a Proposal, which is deemed by the District to be responsive and responsible.
 - b. The District may, at its discretion, request proposal revisions and hold discussions and negotiations with responsive proposers. The RFP will define applicable procedures to ensure that discussions or negotiations are conducted in good faith.
 - c. The District will rank responsive proposers based on a determination of value provided, but shall not be required to rank more than three (3) proposers.
 - d. The District will award the contract, if at all, to the responsible DBE whose proposal is determined by the District to be the best value.

Per Board Policy, any person or entity that has performed or is performing services for District relating to the solicitation of this design-build project will **not** be eligible to submit a proposal as a design-build entity or to join a design-build team.

IV. FULL OPPORTUNITY

The District hereby affirmatively ensures that all respondents including Disadvantaged Business Enterprises (“DBE”), Small Local Business Enterprise (“SLBE”), Small Emerging Local Business Enterprise (“SELBE”) and Disabled Veterans Business Enterprise (“DVBE”) firms shall be afforded full opportunity to submit qualifications in response to this RFQ and will not be discriminated against on the basis of race, color, national origin, ancestry, disability, gender, transgender status, political affiliation, or religion in any consideration leading to the award of contract.

V. LIMITATIONS

This RFQ is neither a formal request for bids, nor an offer by the District to contract with any party responding to this RFQ. The District reserves the right to add additional prequalified respondents for consideration after distribution of this RFQ, if it is found to be in the best interest of the District. All decisions concerning selection of the DBE will be made in the best interests of the District. The issuing of a subsequent RFP and awarding of the contract pursuant to the subsequent RFP, if at all, is at the sole discretion of the District.

The District makes no representation that participation in this RFQ 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 any response to this RFQ.

SOQs submitted by contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law. The contents, however, may be disclosed to third parties for purpose of verification or investigation. State law requires that the names of respondents applying for prequalification status shall be public records subject to disclosure.

VI. RESTRICTIONS ON LOBBYING AND CONTACTS

From the period beginning on the date of the issuance of this RFQ and ending on the date of the award of the contract, no person, or entity submitting in response to this RFQ, 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 RFQ, the evaluation or selection process/or the award of the contract with any member of the District, Board of Education, selection members, or any member of the Citizens' Oversight Committee. Any such contact shall be grounds for the disqualification of the respondent submitting a SOQ.

VII. STANDARD TEMPLATE FOR STATEMENT OF QUALIFICATIONS

The SOQ should be clear, concise, complete, well organized and demonstrate both Respondent's qualification and its ability to follow instructions.

Provide one (1) signed original SOQ (marked "original") and one (1) pdf file in electronic form on a flash drive. In the event of any discrepancy between the hard copy and the pdf copy of the SOQ, the hard copy will control.

Attached hereto as APPENDIX B is the District's supplemental prequalification template. Respondent must complete the prequalification template, certify its answers under penalty of perjury, and attach all information requested therein. The completed, certified prequalification template, together with all attachments, constitutes respondent's SOQ.

Each SOQ must be certified under penalty of perjury. If any information provided by a respondent becomes inaccurate, the respondent must immediately notify District and provide updated, accurate information in writing, under penalty of perjury.

VIII. EVALUATION

The District will evaluate all timely submitted SOQs. Each SOQ must be complete. Incomplete SOQs 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 and qualified.

The SOQs shall address the significant factors the District reasonably expects to consider in evaluating qualifications, as follows:

- Design expertise and experience;
- Construction expertise and experience;
- Acceptable safety record;
- Enforceable commitment to use a skilled and trained workforce for the Project, as applicable;
- Capacity to obtain required bonds and insurance of the Project; and
- Financial capacity to complete the Project.

Respondents should demonstrate in their Statements of Qualification how they either match or closely approximate the above factors by providing the following information:

- All required license numbers and registration numbers to design and construct the Project, with no recent revocations or suspensions;
 - Include years of practice.
 - Provide a Project Organization Chart which shows all firms that the Design-Build Entity is prequalifying in this Application.
 - General Contractors are free to develop their list of Design-Build subcontractors.
 - In the SOQ template provide the Architect of Record's firm profile and resumes of listed key staff. Include their list of sub consultants (i.e. mechanical, electrical, plumbing, civil, etc.) and the resumes of key staff.
- Established performance history;
 - List **at least two** recent projects in which the DBE has participated as a contractor, builder, designer, architect, or designer-builder during the past **five (5) years** with a contract value of at least **fifteen million dollars (\$15,000,000)**.
 - Include all projects for **California K-12 school district(s) and California community college district(s)** performed by the DBE or one of entities that is part of the DBE. Projects with DSA review must be included for consideration.
 - Include whether any projects not in design or construction remain not yet closed-out with DSA.

- Include an absence of criminal or civil violations.
- Include significant disputes.
- Provide any other information that would assist the District in understanding the DBE's capacity to efficiently and effectively complete the Project.

District may use other sources of information outside of the SOQs to investigate respondents or verify answers. District's investigation may extend beyond contacting project references identified in SOQs.

After completing its evaluation, the District will notify respondents selected for prequalification.

IX. FINAL DETERMINATION

Prequalification is at the sole discretion of the District. The District reserves the right to waive irregularities and omissions in the information contained in any SOQ, and to make all final determinations. The District further reserves the right to suspend or rescind prequalification at any time based on subsequently learned information.

The District makes no representation that participation in this RFQ process will lead to an award of contract or any consideration whatsoever. The District reserves the right to seek proposals from or to contract with any firm not participating in this process. The District shall in no event be responsible for the cost of preparing any SOQ or other response to this RFQ.

WE THANK YOU FOR YOUR INTEREST IN THE DISTRICT'S PROJECT!

APPENDIX A

Evergreen Valley High School

EV Cougar Hall, Library, and Valley Modernization (Project No. Z-075-604)

Project initiated for the modernization of Cougar Hall, Library and the Valley. The overall design will provide a contemporary and functional space where services, learning, and socializing occurs at Evergreen Valley High School.

The student union will function as a space where learning and socializing occur simultaneously. The student union will fulfill several campus objectives such as providing an environment where events can be staged, and where students can gather informally outside of the classroom. The indoor/outdoor experience will provide space for varied functions and groups and will need to maintain a comfortable scale in all configurations. It will support dining areas, student activities, and presentations. Semi-public functions such as student lounges and meeting spaces will also be part of the open plan. The site's unique proximities allow an inviting transition of unobstructed flow of indoor/outdoor spaces providing a seamless experience to/from the student union, the learning center, food service, conference rooms and outdoor seating.

The expected cost of the Project as described above is estimated to be \$15,000,000.

The contract duration is approximately 22 months and will be established in the RFP. Liquidated damages will apply to late completion, and the amount of the liquidated damages will be set in the RFP.

The campus will be occupied during this project.

This project will be completed under the District's Project Labor Agreement.

The District elects to implement an Owner Controlled Insurance Program (OCIP) on this project. More information about the program will be issued in the RFP.

The design and construction for the Project shall adhere to the District's Facilities Master Plan, which is provided by the following link:

<http://go.boarddocs.com/ca/esuhsd/Board.nsf/goto?open&id=AM3Q7K67E2F9>

The District has engaged the JK Architecture Engineering firm as its architectural firm to assist in the development of design criteria documents specific to the Project. Accordingly, the JK Architecture Engineering firm shall not be eligible to participate with any Respondent. Any Respondent proposing the JK Architecture Engineering firm, or any individual affiliated with the JK Architecture Engineering firm, as part of its design team shall not be selected for submittal of a Proposal. See (Board Bylaw 9270 – Item 11.03- Link below) Conflict of Interest, identifying other conflict-of-interest prohibitions on participating as part of a Respondent.

<https://go.boarddocs.com/ca/esuhsd/Board.nsf/goto?open&id=BDN6P415D6C9>

RFQ-03-19-20- APPENDIX B – Projects Over \$10 Million

I. INFORMATION ABOUT DESIGN-BUILDER

General Contractor

Name: _____

Architect of Record

Name: _____

Structural Engineer

Name: _____

Civil Engineer

Name: _____

Mechanical/Electrical/Plumbing Engineer

Name(s): _____

Other Principal Engineer Name (specify expertise):

Design-Build Entity Contact Person:

Address:

Phone: _____ Fax: _____ E-mail: _____

DIR Registration Number: _____

Insurance Company:

Insurance Co. Agent: _____ Agent's Phone: _____

Insurance Co. Address:

If the Design-Build Entity is a privately-held corporation, limited liability company, partnership, or joint venture, then identify all shareholders, partners, or members known at the time of submitting the SOQ who will perform work on the Project:

If the Design-Build Entity is a corporation, limited liability company, partnership, joint venture, or other legal entity, a copy of the organizational documents or the agreement committing to form the organization must be included with the SOQ or the Entity will not be included on the short list of Proposers.

A. General Contractor

Company Name: _____
(as it appears on license) Check One: Corporation _____
Partnership _____
Date of formation/incorporation: _____ LLC _____
Sole Prop. _____
Contractor DIR Registration Number: _____ Joint Ven. _____

Contractor License Numbers held by Company, with classifications and expiration dates:

Contact Person: _____

Address: _____
Phone: _____ Fax: _____ E-mail: _____

If Company is a sole proprietor or partnership, identify Owners(s) of Company as follows:

Name
Position
Years with Co.
% Ownership

Contractor's Bonding Co./Surety:

Surety Agent: _____ Surety Agent's Phone: _____
Surety's Address: _____

Company's Bonding Capacity: _____

Has there been a change in the Company's Surety within the last three (3) years? Yes ___ No ___
(If yes, identify other sureties and explain on a separate signed page.)

Has there been a change in ownership of the Company within the last three (3) years?
Yes ___ No ___
(If yes, explain on a separate signed page.)

NOTE: A publicly-traded corporation is not required to answer this question.

Has the Company changed names or license number in the past five (5) years? Yes ___ No ___
(If yes, explain on a separate signed page, including the reason for the change.)

Has any owner, Contractor State License Board qualifier, or corporate officer operated as a contractor under any other name or license number (not listed above) in the last five years?
Yes ___ No ___
(If yes, explain on a separate signed page.)

B. Architect of Record

Company Name: _____
(as it appears on license) Check One: Corporation _____

Date of formation/incorporation: _____ Partnership _____
LLC _____

State of formation/incorporation: _____ Sole Prop. _____
Joint Ven. _____

Contact Person: _____

Address: _____

Phone: _____ Fax: _____ E-mail: _____

If Company is a sole proprietor or partnership, identify Owners(s) of Company as follows:

- Name
- Position
- Years with Co.
- % Ownership

Insurance Company: _____

Insurance Co. Agent: _____ Agent's Phone: _____

Insurance Co. Address: _____

Has there been a change in ownership of the Company within the last three (3) years?

Yes ___ No ___

(If yes, explain on a separate signed page.)

NOTE: A publicly-traded corporation is not required to answer this question.

Has the Company changed names in the past five (5) years? Yes ___ No ___

(If yes, explain on a separate signed page, including the reason for the change.)

Has any owner or corporate officer worked for any other architectural firm in the last five years?

Yes ___ No ___

(If yes, explain on a separate signed page.)

Provide the following information for all known Architects who will be designing the Project:

- Name
- License Number
- Years with Company
- Years in Practice

Attach a copy of the Architect of Record's resume.

C. Principal Engineers – Provide the required information for each principal engineer.

Company Name: _____
(as it appears on license) Check One: Corporation _____

Date of formation/incorporation: _____ Partnership _____
LLC _____
State of formation/incorporation: _____ Sole Prop. _____
Joint Ven. _____

License Number(s): _____
Engineering Discipline(s): _____

Contact Person: _____
Address: _____
Phone: _____ Fax: _____ E-mail: _____

If Company is a sole proprietor or partnership, identify Owners(s) of Company as follows:

Name
Position
Years with Co.
% Ownership

Insurance Company: _____
Insurance Co. Agent: _____ Agent's Phone: _____
Insurance Co. Address: _____

Has there been a change in ownership of the Company within the last three (3) years?

Yes ___ No ___

(If yes, explain on a separate signed page.)

NOTE: A publicly-traded corporation is not required to answer this question.

Has the Company changed names or license number in the past five (5) years? Yes ___ No ___

(If yes, explain on a separate signed page, including the reason for the change.)

Has any owner or corporate officer worked for any other engineering firm in the last five years?

Yes ___ No ___

(If yes, explain on a separate signed page.)

Provide the following information for all known Engineers who will be working on the Project:

Name
Licenses
Years with Company
Years in Practice

Attach a copy of the Principal Engineer's resume.

II. PASS/FAIL REQUIREMENTS

1. Architect possesses a valid and current California professional license for the services for which Architect will be responsible. Yes ___ No ___
2. Each Principal Engineer (Structural, Civil, Mechanical, Electrical, Plumbing, and Acoustical (if applicable)) possesses a valid and current California professional license for the services for which the Engineer will be responsible. Yes ___ No ___
3. Architect has a current Workers' Compensation Insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 *et. seq.* Yes ___ No ___
4. Each Engineer has a current Workers' Compensation Insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 *et. seq.* Yes ___ No ___
5. Contractor knows and understands its obligations regarding the employment of apprentices on public works projects and intends to comply with such requirements. Yes ___ No ___
6. Design-Build Entity's surety (and Contractor's surety, if Contractor is not the Design-Build Entity) is admitted by the State of California Department of Insurance to do business in the State of California. Yes ___ No ___
7. Design-Build Entity's surety (and Contractor's surety, if Contractor is not the Design-Build Entity) is listed in the current edition of the United States Department of the Treasury's listing of approved sureties. Yes ___ No ___
8. Design-Build Entity's surety (and Contractor's surety, if Contractor is not the Design-Build Entity) possesses a Bests' rating of no less than (A-) Level VII. Yes ___ No ___
9. Architect's license has been revoked at any time in the last five years? Yes ___ No ___
10. **Any** Engineer's license has been revoked at any time in the last five years? Yes ___ No ___
11. Contractor has been "default terminated" by an owner (other than for convenience) or its surety has completed or paid for completion of a contract within the last five years. Yes ___ No ___
12. Contractor is ineligible to bid on or be awarded any local, state or federal public works contract, or to perform as a general contractor or subcontractor on any such public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7 or any other local, state or federal law or regulation. Yes ___ No ___
13. Is the Contractor, the Architect, or any Principal Engineer currently the debtor in a bankruptcy case? Yes ___ No ___

In order to pass, Respondent must answer "yes" to questions 1-8, and answer "no" to questions 9-13.

The undersigned members of _____ (“Design-Build Entity”) hereby declare, under penalty of perjury under the laws of the State of California, that all information provided in Design-Build Entity’s Statement of Qualifications is true and correct.

Signature Page

General Contractor: _____
Printed

Signature: _____ Dated: _____

Architect of Record: _____
Printed

Signature: _____ Dated: _____

Structural Engineer: _____
Printed

Signature: _____ Dated: _____

Civil Engineer: _____
Printed

Signature: _____ Dated: _____

Mechanical Engineer: _____
Printed

Signature: _____ Dated: _____

Electrical Engineer: _____
Printed

Signature: _____ Dated: _____

Plumbing Engineer: _____
Printed

Signature: _____ Dated: _____

Other Principal Engineer (as needed): _____
Printed

Signature: _____ Dated: _____