Request for Proposal (RFP #20-101)

Lease-Leaseback Construction Services

For

Sierra Ridge MS Modernization
Request for Proposals
Lease-Leaseback Services
Pollock Pines Elementary School District

Exhibits
Exhibit A: ICS Office Map
Exhibit B: Project Site Plan
Exhibit C: General Conditions Costs and other Project Costs
Exhibit D: Fee Proposal Form
Exhibit E: Facilities Lease
Exhibit F: Site Lease
Exhibit G: DVBE Requirements

DSA application #02-115038 Approved plans and specifications

The Board of Trustees ("Board") of the Pollock Pines Elementary School District ("District") is seeking qualified providers of lease-leaseback construction services ("LLB Entity") to provide preconstruction and construction related services, and a six (6) month post-construction lease period for the construction and associated site work for the Modernization at Sierra Ridge Middle School located at 2701 Amber Trail, Pollock Pines, CA 95726, County of El Dorado, State of California pursuant to California Education Code Section 17406 (the "Project"). A single entity will be selected for the lease-leaseback ("LLB") delivery and financing for the Project.

I. Critical Dates

Proposal Due Date:

Three (3) hard copies and One (1) separate electronic pdf flash drive of the proposal without the fee proposal in a three-ring binder, and a separate sealed envelope with one (1) hard copy of the Fee Proposal (Exhibit D) shall be delivered no later than 10am on Tuesday, November 5, 2019 to:

Pollock Pines Elementary School District
c/o Innovative Construction Services, Inc. (ICS) (See attached map identified as Exhibit A)
5433 El Camino Ave., Suite 2
Carmichael, CA 95608
Attn: Meredith Collins, ICS Project Manager

Proposals not received by the deadline will be returned unopened.

RFP Milestone Dates:
The following are the anticipated dates in connection with the award of the lease-leaseback instrument, but are subject to change:

- October 9, 2019 – Advertise and RFQ available. Please email District Representative, Innovative Construction Services, Inc. (ICS) – Meredith Collins, meredith@icscm.com. Also, the RFP will be uploaded to District’s web site. (https://www.ppesd.org/measureK)
- October 15, 2019 at 3pm – Mandatory Preproposal conference at 2701 Amber Trail, Pollock Pines, CA. We will meet at the Flagpole.
- October 22, 2019 by 10am – Deadline to submit questions via email to Meredith Collins, meredith@icscm.com.
- October 29, 2019 by 10am – If applicable, an addendum will be issued.
- October 31, 2019 – Deadline to submit prequalification applications. To obtain a copy of the pre-qualification please refer to http://www.ppesd.org/ or email ICS, meredith@icscm.com
- November 5, 2019 by 10am – Proposals due
- November 11-15, 2019 – Interviews (if applicable)
- November 15, 2019 – District selection of successful LLB Entity
- December 13, 2019 – Board award of LLB instrument
II. Project

Scope Description for Sierra Ridge MS Modernization (Refer to Conceptual Sketch attached hereto as Exhibit B).

Scope will include preconstruction services (Dec 2019-May 2020), construction (June 2020 – July 2020 construction complete; August – September 2020 punchlist), and a six (6) month post-construction lease period for work associated with the modernization of 2 classroom wings, MP room, Admin, and minor restroom upgrades. This project is DSA approved – DSA application #02-115038. RFQ includes the approved plans and specifications.

The total construction estimate of the project is $3,000,000.

Description / Anticipated Schedule

Preconstruction Services

Preconstruction services, as defined in Education Code section 17400(b)(4), will include the services generally described below in Section IV(1), Scope of Work, Preconstruction Phase Services including but not limited to a design/constructability and coordination review, value engineering, detailed cost estimating, including variables and options in order to meet the District’s budget, development of the different trades’ scope of work, and bidding and preparation of the TBR and lease payment schedule.

The TBR shall be developed through a public competitive sub-bid selection process for any scope of work of $5,000 or greater in value. For work that has a value of $5,000 or more but less than one-half of one percent of the construction price that is subcontracted, a minimum of three bids is expected for each trade. Such bids may be solicited through informal bidding and contracts awarded based on low bid or best value. The LLB Entity will provide the District with a copy of their bid advertisement and subsequent addenda.

For work that has a value equal to or greater than one-half of one percent of the construction price that is subcontracted, the competitive sub-bid selection process (i) will require advertisement in accordance with that required of the District, fixing a date on which qualifications, bids or proposals are due; (ii) will permit selection and award of subcontracts on either a best value basis or to the lowest responsible bidder; and (iii), if a best value basis will be used, establish in the solicitation reasonable qualification criteria and standards. The LLB Entity will provide the District with a copy of their bid advertisement and subsequent addenda. Subcontractors awarded construction subcontracts under this process shall be afforded all protections of the Subletting and Subcontracting Fair Practices Act (commencing with Section 4100 of the California Public Contract Code.

Notwithstanding the foregoing, the Respondent may identify Disabled Veteran Business Enterprises (“DVBE”) in its Proposal that the Respondent is committing to use, including the DVBE’s scope of work. Any DVBE identified in the Proposal must be listed in accordance with Public Contract Code sections 4100 et seq. and used for the listed scope of work. When developing the TBR, the LLB Entity will be required to submit a rationale for the DVBE’s price, including documentation sufficient to support that the DVBE’s price is reasonable.

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. The cumulative amount of self-perform work not required to be blind bid is $50,000.

Entity will be required to submit a detailed estimate for any work under $5,000.

Before the TBR may be approved by the District, the LLB Entity will be required to provide the District with objectively-verifiable information of its costs and a written rationale for the TBR.
Generally speaking, preparation of the TBR will require a minimum of six (6) weeks, broken down as follows:

- Four weeks for bidding of trade contractors by LLB Entity
- One week for preparation of initial TBR Binder by LLB Entity and review of TBR with the District
- One week for Board review and approval

**Additional Project Information**

The LLB Entity is required to hold a California Contractor’s License, **Class B – General Building Contractor**, which is current, valid and in good standing with the California Contractor’s State License Board, and is required to be registered with the Department of Industrial Relations (“DIR”) pursuant to Labor Code section 1725.5.

The LLB Entity shall work under the direction of the District and its agents. District agents shall be the Construction Manager (“CM”), **Innovative Construction Services, Inc. (ICS)**, and the Architect. For this Project, the District has retained **Kirk Brainerd Architects** as its Architect (Designer of Record) to prepare the design, engineered plans, and specifications for the Project. The LLB Entity shall work with the District, the CM, and the Architect, as necessary to conduct its services, and incorporate modifications to the plans into the Total Base Rent (“TBR”) for the Project, at the direction of the District and its agents.

The Construction Manager Contact is:

**Meredith Collins**
ICS, Inc.
5433 El Camino Ave., Suite 2
Carmichael, CA 95608
Phone: (916) 333-5701
E-mail: meredith@icscm.com

**III. Contract Parameters**

**Public Contract Code section 20111.6**

Prequalification in compliance with Public Contract Code section 20111.6 is required for this Project. Therefore, Respondents must be prequalified prior to submitting their proposals for this Project. In addition, all mechanical, electrical and plumbing (“MEP”) subcontractors (as defined by Public Contract Code section 20111.6(k)) must be prequalified prior to submitting any bids for Construction Increment services on this Project. MEP subcontractors subject to these requirements are those with any of the following license classifications: C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43 and C-46. The LLB Entity shall work with the District and the District’s consultants in prequalifying such subcontractors, as well as any other subcontractors or suppliers that may be identified by the District during preconstruction services to be prequalified, using the District’s standard Prequalification Questionnaire and uniform rating system. Respondents and MEP subcontractors must have submitted a prequalification application no later than ten (10) business days before the due date for Proposals or bids or have been prequalified for at least five (5) business days before the due date for Proposals or bids.

The District’s Prequalification Application is done by submitting hard-copy to the District’s Representative, **Innovative Construction Services, Inc. (ICS)**. To obtain a copy of the pre-qualification, please visit the District’s website, [http://www.ppesd.org/](http://www.ppesd.org/) or by emailing ICS – meredith@icscm.com. Respondents must have submitted their applications no later than ten (10) business days before the due date for Proposals or have been prequalified for at least five (5) business days before the due date for Proposals. Proposals will not be accepted from any Respondent to this RFQ who has not complied with these requirements.
Public Works Registration Requirement

Notice is hereby given that this project is a public works project within the requirements of Division 2, Part 7, Chapter 1 of the California Labor Code, and that the LLB Entity and its subcontractors are required to be registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 at the time of bidding. The LLB Entity must be registered with the Department of Industrial Relations (“DIR”) prior to the due date for Proposals on this RFP. Failure of a Respondent to be registered by the Proposal due date will render the Proposal non-responsive. The selected LLB Entity’s subcontractors, truckers and any suppliers and/or vendors subject to California’s prevailing wage laws are required to be registered with DIR pursuant to Labor Code section 1725.5 at the time bids or proposals are submitted for the trade work, or, in the case of any such subcontractors, truckers, suppliers and/or vendors who are not required to submit bids or proposals, must be registered with DIR not later than 24 hours before they commence any work on the Project.

Education Code section 17407.5; Public Contract Code sections 2600 et seq.

Compliance with Education Code section 17407.5 and Public Contract Code sections 2600 et seq. is required for this Project. In accordance with those statutes, the District will not enter into any Site Lease or Facilities Lease with the LLB Entity under Education Code section 17406 unless and until the LLB Entity provides to District, in a form acceptable to District’s Board, an enforceable commitment that a) the LLB Entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the Project that falls within an apprenticeable occupation in the building and construction trades, and b) the LLB Entity will provide the District with a monthly report of its compliance with the skilled and trained workforce requirements. The LLB Entity must commit to ensure that the apprenticeship program graduate percentage will be met in every month in which work will be performed. The required commitment to the District’s Board shall be one of the following: a) the LLB Entity’s certification and agreement in accordance with the California False Claims Act, Government Code sections 12650 through 12656, that the LLB Entity and its subcontractors at every tier will comply with the requirements of Education Code section 17407.5 and Public Contract Code sections 2600 et seq. and that the LLB Entity will provide the District’s Board, on a monthly basis while the Project is being performed, a report demonstrating that the LLB Entity and its subcontractors are in compliance with these requirements; or b) evidence that the LLB Entity has entered into a project labor agreement that includes the requirements of Education Code section 17407.5 and Public Contract Code sections 2600 et seq. and that will bind the LLB Entity and all its subcontractors at every tier performing on the Project.

Financing

Financing will be required from the LLB Entity in that the total of the lease payments under the Facilities Lease for the Project will be spread over a Lease Term that includes a post-construction period of six (6) months after final completion of the Project. The District contemplates that the portion of the Project financed and paid during the post-construction period will not exceed seven percent (7%) of the Total Base Rent. Any fees for financing during the post-construction period shall be stated in the Price Proposal and will be taken into consideration in evaluating the Proposals. The District will not pay any additional fees for financing during the construction period.

Construction Budgets / Costs

The District will require an open book policy with the LLB Entity and its construction team. The District, through itself or its authorized agents and consultants, expects to have access to all Project information, including without limitation subcontractor/supplier bids, contracts, and change orders; value engineering back-up; contingency breakdown and tracking; general conditions breakdown and tracking; actual costs for bonds and insurance; and LLB Entity fees.

Refer to the Facilities Lease Agreement (Exhibit E) for what constitutes a Change Order.
DVBE Participation Requirements

In accordance with Education Code section 17076.10, the LLB Entity will be required to meet or make good faith efforts to meet a goal of providing three percent (3%) of the amount of the Total Base Rent in work or materials to certified Disabled Veteran Business Enterprises ("DVBE"). Exhibit G sets forth in greater detail the DVBE outreach to apply when identifying subcontractors as part of developing the TBR. For any DVBEs identified in the Proposal, Respondent must include with its proposal a copy of the DVBE Certification letter from the Department of General Services and all information required below in Section V, Proposal Format and Content, Body of Submittal, Paragraph 5.

Development of Initial and Revised Total Base Rent ("TBR") and Lease Payment Schedule (Refer to Exhibits C, D and E attached herein)

Total Base Rent for the project will be determined after taking bids and/or proposals for all subcontracting trades. Refer to Exhibits C, D, and E for what will be allowed as a direct cost of the work, general conditions, and Contractor’s Contingency. Items included in the General Conditions cannot be included in the direct cost of the work by the subcontractors. In general, the following components will be included in TBR:

1. General conditions (refer to Exhibit C for allowable costs).
2. Work self-performed by the LLB Entity, if applicable
3. Cost of all subcontract scopes of work.
4. LLB Entity fee (includes overhead and profit and all other costs not specifically allowable in general conditions). District will not accept proposals with a Fee higher than 5.5% of the sum of the Direct Cost of the Work plus General Conditions (excluding the cost of Bonds and Insurance, Allowances and Contingencies).
5. Payment and performance bonds for the LLB Entity to cover the final TBR (inclusive of Owner’s contingency and allowances).
6. All insurance costs (General Liability, Auto, Worker’s Compensation, Builder’s Risk, etc. – Refer to Exhibit E to the Facilities Lease for additional information).
7. A Construction Contingency and a District Contingency for the District’s sole use (excluding Contractor’s contingency and allowances).
8. Miscellaneous allowances, if applicable, in an amount agreed upon by the District and the LLB Entity.

The LLB Entity shall provide the District with written rationale for the price, and the District’s Board must approve the TBR at a public meeting before the LLB Entity may proceed with any construction work for the project. The LLB Entity must provide documentation sufficient to support each element of the final price.

Monthly lease payments are anticipated to be the same for each month during the construction period, except for the usage of contingencies and/or allowances. Monthly Lease Payments during the post-construction period following completion of the Project shall be the same for each month. All Lease Payment Schedules or revisions presented to the Board for approval must include a six (6) month post-construction period.

Subject to Board approval of the TBR and Lease Payment Schedule, the District and the selected LLB Entity will amend the Facilities Lease to incorporate the agreed-upon TBR and Lease Payment Schedule. If the Board does not approve the TBR and/or the Lease Payment Schedule, then the District may, in its sole discretion, decline to proceed with that Construction Increment, or, in the alternative, may negotiate with the LLB entity for a revised proposed TBR and Lease Payment Schedule. 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 DSA approval.
IV. **Scope of Work**

The Scope of Work is divided into Preconstruction Phase Services and Construction Services. Commencement or completion of the Preconstruction Services does not obligate the District to proceed with any Construction services with the selected LLB Entity. The Scope of Work is anticipated to include the following:

1. **Preconstruction Phase Services for the Project – Exhibit H to the Facilities Lease (attached as Exhibit E to the RFP):**
   
   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 project expected after DSA submission). Backchecks to be performed once design team has addressed review comments and prior to DSA approval for each project. 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. The LLB Entity will be required to perform site investigation to confirm utilities and other infrastructure impacted or incorporated into the design to confirm location and or condition at the District’s discretion. **LLB Entity is to include an allowance amount of $15,000 for the Project** to be used on a time and material basis for site investigation, to be used at the District’s discretion. Include the equipment rates and labor rates for the possible positions necessary to perform this work. Any unused allowance amount will be returned to the District via a deductive amendment to the Facilities Lease.
   
   b. Undertake value engineering analysis and prepare report with recommendations to the District to maintain established construction budget.
   
   c. Perform one (1) detailed estimate within the first three (3) weeks of the TBR development period.
   
   d. Attend regular meetings biweekly with the Design Team, and District Representatives.
   
   e. Provide a detailed Construction CPM schedule that identifies the critical path within the Construction. A minimum of one week of float for Owner’s use needs to be identified.
   
   f. 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 solicitations for bids must establish reasonable qualification and selection criteria and standards, including any required prequalification, and the subcontracts shall be awarded in accordance with the stated qualification and selection criteria and standards. DVBE goal of 3% participation is required to meet State Funding requirements; therefore, language to reach the 3% goal should be included in the LLB entity’s bid solicitations. Refer to Exhibit G attached to this RFP.
   
   g. 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 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.
   
   h. Develop the proposed Total Base Rent (TBR) and proposed lease payment schedule. The TBR 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.

2. **Construction and Post-Construction Services:**

   Work associated with the modernization of 2 classroom wings, MP room, Admin, and minor restroom upgrades. This project is DSA approved – DSA application #02-115038.
RFQ includes the approved plans and specifications. See also Exhibits C, D and E. The site will not be occupied during the construction phase.

The LLB Entity shall not proceed with the construction work unless and until the TBR is approved by the Board at a public meeting and a Notice to Proceed with the construction phase 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.

While it is the intent of the District that the LLB Entity selected to perform the Preconstruction Services will continue on to perform the Construction and Post-Construction Services under terms of the Facilities Lease and Site Lease, the District reserves the absolute not to proceed with the construction of the Project.

V. Proposal Format and Content

The Respondent’s Proposal should be clear, concise, complete, well organized and demonstrate both Respondent’s qualifications and its ability to follow instructions.

Provide three (3) hard copies and one (1) separate electronic pdf flash drives of the Proposal without the fee proposal in a three-ring binder, not to exceed thirty-five (35) single-sided pages total length (Binder cover pages, Table of Contents, Tabs, Addenda (if any), OSHA forms, DVBE Certification letters, and financial information forms in Section 12 below, are excluded from page count). If an addendum is issued, please include it right after the cover letter. In the event of any discrepancy between the hard copy and the pdf copy of the Proposal, the hard copy will control. In a separate, sealed envelope provide one (1) hard copy of the fee proposal. The entire proposal package (binders and fee proposal) shall be separately sealed in a box or envelope labeled with a copy of the “Submittal Cover” specified below.

All Respondents shall follow the order and format specified below. Please tab each section of the submittal to correspond to the numbers shown below.

Submittal Cover

Include the RFP’s title and submittal due date, the name, address, fax number, and the telephone number of responding firm (or firms if there is a joint venture or association). Include Respondent’s point of contact for this RFP with contact information including email address.

Table of Contents

Include complete and clear listings of heading and pages to allow easy reference to key information.

Body of Submittal

The following sections should be included in the order listed:

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<th>Pass/Fail</th>
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<td>1. A cover letter signed by an officer of the firm submitting the Proposal, or signed by another person with authority to act on behalf of and bind the firm. Indicate contact person(s) for the project. If an addendum is issued, please also acknowledge it on the cover letter. If Respondent is a joint venture, a principal or officer of each member of the joint venture must sign the cover letter. The cover letter shall include a certification in substantially the following form:</td>
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"[Respondent] certifies under penalty of perjury, under the laws of the State of California, that all information provided in its Proposal, including without limitation in exhibits and |
Attachments thereto and its Fee Proposal, is true and correct."

*Failure to include such a certification shall make the Proposal non-responsive and unavailable for award.*

| 2. | All issued addenda. It is the responsibility of Respondents to check the District’s website to ensure that they have received all addenda. | Pass/Fail |
| 3. | Respondents must hold a California Contractors License, Class B General Building Contractor, which is current, valid and in good standing with the California Contractor’s State License Board. Provide the following information for the license:  
   a. Name of license holder exactly as on file  
   b. License Classification  
   c. License Number  
   d. Date Issued  
   e. Expiration Date | Pass/Fail |
| 4. | General information about your firm, including number of employees, type of business structure, years in business, website, name(s) of owner(s), home office location, local office location (if different), DIR registration number, federal tax I.D. number, whether you are a small business or disabled veteran business enterprise (DVBE), and market areas. Also include any signatory requirements to Union participation. | 5 Points |
| 5. | A list of any DVBEs that you are committing to use, either as direct or lower tier subcontractors or suppliers, in the performance of the Project, including the following information:  
   a. Subcontractor name and place of business  
   b. Subcontractor license number and DIR registration number  
   c. Description of the portion of work the DVBE will perform | 5 Points |
| 6. | Describe the history of any disputes and performance problems. At a minimum, discuss whether or not any of the following have occurred and, if they have occurred, please explain. If any of the following have not occurred, state “N/A” or similar in response to the item. A response to each of the following sub-issues is required: |
a. Suspension or revocation of any license of the Respondent, or of any parent, subsidiary, predecessor company, or affiliated company, within the last ten years. An affiliated company is one with at least 10% common ownership, or with the same qualifying individual, or that has two or more board members or officers in common. (Less 2-10 points per incident, depending on the reason, the company, and when the incident occurred)

b. Any EPA, Air Quality Management District, or Regional Water Quality Control Board finding against the Respondent or the owner of a project on which the Respondent was the prime contractor in the past five years. (Less one point per incident)

c. In the past five years, any violation by the Respondent of any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works, or the laws requiring use of a “skilled and trained workforce” on certain public works projects. (Less one point per incident)

d. Payment by the Respondent of liquidated damages of $50,000 or more on any contract in the last five years. (Less 2 points per incident)

e. Termination of the Respondent for cause and/or default within the last ten years. (Less 10 points if in the last 5 years; less 5 points if over 5 years ago)

f. In the past five years, cancellation of any insurance policy or refusal of any insurance company to renew an insurance policy due to non-payment of premiums or losses claimed. (Less 3 points per incident)

g. Any finding by any public entity in the past five years that the Respondent was not a “responsible” bidder or proposer. (Less 2 points per incident, unless based solely on lack of experience)

h. Any finding by a court or arbitrator in the past ten years that the Respondent was liable for making any false or fraudulent claim or material misrepresentation to a public agency or entity. (Less 10 points if in the last 5 years; less 5 points if over 5 years ago)

i. Withdrawal of a bid for mistake. (Less one point per incident)

j. Withdrawal after a contract award to the Respondent. (Less 3 points per incident)

k. Any judgments **against** the Respondent in the past five years in actions in court or arbitration involving disputes with the owner of a construction project. This includes matters in which the Respondent was either plaintiff or defendant, and includes matters settled after judgment was announced. (Less 5 points per incident)

l. Any claims in excess of $100,000 made in the past five years which were either a) asserted by the Respondent against a project owner in arbitration or litigation and compromised for 45% or less than the amount asserted or b) asserted against the Respondent by a project owner in arbitration or litigation and compromised for 55% or more than the amount asserted. (Less 3 points per incident)
7. Describe the Respondent’s safety record and safety program, including at least
   a. The Respondent’s worker safety program and how construction safety
      would be managed for the project. (4 points)
   b. Any CAL OSHA or Federal OSHA finding against the Respondent for
      any “serious,” “willful” or “repeat” violations of its safety or health
      regulations in the past five years.
      (none = 3 points; 1-2 = 2 points; 3-4 = 1 point; > 4 = 0 points)
   c. For each of the last three complete years - Provide the Average Lost
      Workday Incident Rate (LWIR), the Average Recordable Incident Rate
      (RIR) and the Experience Modification Rate (EMR) provided by your
      worker’s compensation insurance carrier. (3 points)

8. Identify the key personnel proposed to work on the Project, providing the names
   and levels of responsibility of the day-to-day project manager and
   superintendent and other key personnel. Emphasize specific experience as it
   relates to a Modernization project completed over a short construction duration.
   Attach résumés for all identified key staff. Projects referenced on résumés
   should include contract value, start and finish dates, and delivery method (e.g.,
   design-build, lease-leaseback, construction manager at risk, or design-bid-
   build). No substitution of personnel identified will be allowed without the
   District’s approval.

9. Specific Respondent and/or proposed team experience with construction or
   modernization of K-12 or community college district projects subject to DSA
   review/approval and conducted under lease-leaseback methodologies in the
   last 10 years. Please include brief project description, procurement
   methodology, constructed values, dates (start and completion), names of
   owners and their contact information, and names of architects/engineers and
   their contact information. Clearly identify whether or not on any project(s) you
   exceeded the originally established Total Base Rent or Guaranteed Maximum
   Price in the past 10 years (identify the initial contract value, the amount and the
   reasons for exceeding the price).

   Greater points will be awarded for demonstrated experience with the proposed
   project team and for experience with District projects.

   |   | 10 points |
---|---|
| 7. a. | Describe the Respondent’s safety record and safety program, including at least |
|   | a. The Respondent’s worker safety program and how construction safety |
|   | would be managed for the project. (4 points) |
|   | b. Any CAL OSHA or Federal OSHA finding against the Respondent for |
|   | any “serious,” “willful” or “repeat” violations of its safety or health |
|   | regulations in the past five years. |
|   | (none = 3 points; 1-2 = 2 points; 3-4 = 1 point; > 4 = 0 points) |
|   | c. For each of the last three complete years - Provide the Average Lost |
|   | Workday Incident Rate (LWIR), the Average Recordable Incident Rate |
|   | (RIR) and the Experience Modification Rate (EMR) provided by your |
|   | worker’s compensation insurance carrier. (3 points) |
| 8. | Identify the key personnel proposed to work on the Project, providing the names |
|   | and levels of responsibility of the day-to-day project manager and |
|   | superintendent and other key personnel. Emphasize specific experience as it |
|   | relates to a Modernization project completed over a short construction duration. |
|   | Attach résumés for all identified key staff. Projects referenced on résumés |
|   | should include contract value, start and finish dates, and delivery method (e.g., |
|   | design-build, lease-leaseback, construction manager at risk, or design-bid-
|   | build). No substitution of personnel identified will be allowed without the |
|   | District’s approval. |
| 9. | Specific Respondent and/or proposed team experience with construction or |
|   | modernization of K-12 or community college district projects subject to DSA |
|   | review/approval and conducted under lease-leaseback methodologies in the |
|   | last 10 years. Please include brief project description, procurement |
|   | methodology, constructed values, dates (start and completion), names of |
|   | owners and their contact information, and names of architects/engineers and |
|   | their contact information. Clearly identify whether or not on any project(s) you |
|   | exceeded the originally established Total Base Rent or Guaranteed Maximum |
|   | Price in the past 10 years (identify the initial contract value, the amount and the |
|   | reasons for exceeding the price). |
|   | Greater points will be awarded for demonstrated experience with the proposed |
|   | project team and for experience with District projects. |
|   | 30 Points |
| 30 Points |
| 30 Points |
10. **Describe in detail your experience, approach and methods for carrying out Preconstruction Services, including without limitation:**

   a. Constructability review of DSA approved documents.
   b. Identify which trades you plan to include for this phase and discuss how you will involve those trades.
   c. How will you work collaboratively with the Architect, CM, and other District personnel and consultants? (Provide examples)
   d. Cost estimating.
   e. Value engineering of DSA approved plans and specifications, including providing examples.
   f. Scheduling – As part of the submittal the LLB Entity shall include a proposed CPM schedule based on the scope of work provided in the DSA approved plans and specs. The LLB Entity shall assume two (2) work-shifts.
   g. Developing the Total Base Rent, including developing subcontractor scopes of work and bidding. Please describe your approach to ensuring that the District meets its goal of 3% DVBE participation.

11. **Describe in detail your approach and methods for carrying out the Construction Services, including without limitation:**

   a. Any creative methodology that your firm uses or unique resources that your firm can offer to achieve the construction goals in the construction duration stated in the RFP.
   b. Discuss past experience with innovative project delivery techniques likely to promote the goals of the District as stated in the RFP.
   c. Describe how Respondent will manage the Project during construction.
   d. Address how the Respondent’s team will work in a deeply collaborative manner as part of our team, and specifically how this will change the individuals’ roles from those typically required in public school construction.
   e. Describe capabilities for project scheduling, including typical software programs utilized and experience of personnel in these programs. Discuss briefly the plan for scheduling of this Project, including tracking and schedule updates.
   f. Describe how the Respondent will comply with “skilled and trained workforce requirements,” including stating whether the Respondent operates its own State-approved apprenticeship program.

12. **Financial Information – Provide the following financial information:**

   a. A current “Comprehensive Insight Plus Report” from a commercial credit rating service, such as Dunn and Bradstreet.
   b. A letter from a financial institution stating a current line of credit.
   c. A letter from a California admitted surety or insurance company stating bonding limit that can be applied to this Project(s).
d. A letter from insurance company indicating ability to provide insurance.
e. Indicate current value of all work the Respondent has under contract.

13. An enforceable commitment that, if selected to submit a proposal in response to the RFP and if selected as the LLB Entity, the LLB Entity and its subcontractors at every tier will use a “skilled and trained workforce,” as defined in Public Contract Code section 2601(d), to perform all work on the project that falls within an apprenticeable occupation in the building and construction trades.

**Maximum Technical Points:** 200 Points

**Fee Proposal**

Submit the completed Fee Proposal (Exhibit D) in separate, sealed envelope, clearly labeled as the Fee Proposal.

The Fee Proposal will be scored as follows:

<table>
<thead>
<tr>
<th>Scored Services</th>
<th>Basis for Evaluation</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total of Preconstruction Services and Construction Fees and Costs</td>
<td>More than 10% below average: 35 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7.6% to 10% below average: 28 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5.1% to 7.5% below average: 26 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.1 to 5% below average: 23 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Between 2% below and 2% above average: 20 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.1 to 5% above average: 17 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5.1% to 7.5% above average: 13 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7.6 to 10% above average: 8 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10.1% to 15% above average: 5 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>15.1 to 20% above average: 3 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>More than 25% higher: 0 points</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Scored Services</th>
<th>Basis for Evaluation</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finance Rate</td>
<td>Lowest rate to up to .99% over the lowest rate: 10 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lowest rate plus 1% to 1.99%: 9 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lowest rate plus 2% to 2.99%: 7 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lowest rate plus 3% to 3.99%: 5 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lowest rate plus 4% to 4.99%: 3 points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lowest rate plus 5% or more: 0 points</td>
<td></td>
</tr>
</tbody>
</table>

**Maximum Price Proposal Points:** 45 Points

**VI. Selection Process**

1. The purpose of this Request for Proposals is to enable the Pollock Pines Elementary School District to select the firm offering the best value to the District for award of a lease-leaseback instrument under the provisions of Education Code section 17406.

2. The District will use the qualifications-based selection process outlined below.

3. A review and selection committee composed of key District officials and consultants will review and evaluate all Proposals based on the technical scoring criteria identified in Section V above and will conduct interviews as appropriate. The evaluation team first will evaluate the Qualifications / Technical portion of the submitted Proposals to determine whether they meet...
the format and content requirements and the standards specified in the RFP. All compliant Proposals will be scored using the criteria identified above. The evaluation team will not open the contents of the sealed fee proposal during this part of the evaluation. All compliant Proposals will be scored using the technical criteria identified above. The evaluation team will not open the contents of the sealed fee proposal during this part of the evaluation.

4. After the evaluation team scores all Proposals, each Proposal shall be assigned a technical score for each factor that is the average of the individual evaluators’ scores for the factor, and a sum of the total average factor scores.

5. The technical scores will be used to create a short list of Respondents to be interviewed by the evaluation team, at the sole discretion of the District. Respondents not on the short list will not be eligible for further consideration for award.

6. Prior to the interviews (if conducted), the District will develop standard questions to ask of each presenter, which the District may or may not share with the firms prior to the interviews. The interview will be worth up to twenty-five (25) points, based on the average of the individual evaluators’ scores, for a total potential score of 225 points. Final average technical scores then will be recalculated.

7. After final calculation of the technical scores, the fee proposal portion will be opened. Each short-listed Respondent’s Total Price will be divided by its technical score to obtain the Cost per Unit of Quality Point for each short-listed Respondent as its “best value score.” The District shall rank Proposals by best value score from the highest to lowest best value score. If the District elects to proceed with award, then, in a Notice of Intent to Award, the District shall publicly announce the rankings and scores, identify the intended awardee offering the best value, identify the intended awardee’s price, and state the date of the Board meeting at which the award will be recommended.

8. Proposals will be opened privately to assure confidentiality and avoid disclosure of the contents to competing Respondents prior to and during the review, evaluation, and negotiation processes and prior to issuance of the Notice of Intent to Award. However, to the extent that the submittals are public records under California law, they may be released to members of the public if specifically requested under the California Public Records Act.

9. The District reserves the right to request additional information at any time, which, in its sole opinion, is necessary to assure that a Respondent’s competence, number of qualified employees, business organization and financial resources are adequate to perform the required lease-leaseback services for the District.

10. If the Respondent to which the LLB instrument is awarded fails to execute the Site Lease and Facilities Lease within one week following award by the Board, then the Board may award the LLB Instrument to the next-highest scored Respondent if the Board finds the award to be in the best interest of the District.

VII. General Information

1. Addenda. The District reserves the right to cancel or revise in part or in its entirety this RFP. If the District cancels or revises this RFP, then it will do so by addenda posted to the District’s website and provided to Respondents. The District also reserves the right to extend the date responses are due.

2. Inquires. Any questions regarding this RFP or selection process shall be directed in writing to all of the following:
Applicants are requested not to contact other District staff or Board members in connection with this selection process. Any applicants who violate this request may be disqualified from further consideration.

The District will reply regarding substantive issues by addenda which will be uploaded to the District’s website. It is the responsibility of the Respondent to check the District’s website for updated information prior to the Proposal due date. Questions received after the deadline noted in the RFP may not be answered. Only questions answered by formal written addenda will be binding.

Respondents shall submit questions regarding any ambiguity, uncertainty, or other perceived flaw in this RFP, or any proposed changes to the Site Lease or Facilities Lease, as soon as the issue is identified, but no later than the deadline to submit questions on this RFP. Any such issue which is not raised with the District’s designated representative prior to the deadline to submit questions shall be waived, and the District will not consider any challenge based on the contents, structure, or terms of this RFP after the Proposal deadline. Specifically, the District does not intend to consider any requested changes to the Facilities and/or Site Leases after the Proposal deadline, other than to insert information about the selected LLB Entity and its pricing information, unless such changes were proposed prior to the question submittal deadline and disclosed to other Respondents as potentially acceptable changes in an addendum.

The District shall not be obligated to respond to any question unless it is submitted in writing to the District designated representative identified above. The District shall be bound only by written responses to questions contained in an addendum to the RFP. Oral responses, or email responses, shall not be binding on the District. If the District approves any change to the language of the Facilities Lease or Site Lease, that change will be shared with all Respondents by addendum identifying the optional alternate language.

VIII. Special Conditions

1. **Non-Discrimination.** The District does not discriminate on the basis of race, color, national origin, religion, age, ancestry, medical condition, disability or gender in consideration for an award of contract.

2. **Drug-Free Policy and Fingerprinting.** The selected LLB Entity 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.

3. **Costs.** Costs of preparing a Proposal in response to this RFP are solely the responsibility of the Respondent.

4. **Prevailing Wages.** Respondents are advised that this Project is a public work for purposes of the California Labor Code, which requires payment of prevailing wages. These rates are set forth in a schedule that may be found on the California Department of Industrial Relations homepage (www.dir.ca.gov). Any LLB Entity to which a contract is awarded must pay the prevailing wage rates, post copies thereof at the job site, and otherwise comply with applicable provisions of State law.
5. **Bonding; Builder’s Risk Insurance.** The successful LLB Entity will be required to furnish Performance and Payment (Material and Labor) Bonds in the amount of one hundred percent of the TBR after being directed to commence construction work. Prior to commencing Construction Increment, the successful LLB Entity is required to submit all insurance, Builders Risk as outlined in the Facilities Lease Exhibit E.

6. **Limitations.** This RFP does not commit the District to award a contract, to defray any costs incurred in the preparation of a Proposal pursuant to this RFP, or to procure or contract for work.

END OF RFP #20-101