



**BAKERSFIELD CITY SCHOOL DISTRICT**  
**REQUEST FOR QUALIFICATIONS AND PROPOSALS (RFQ/P) # 23-08-04**  
**CONSTRUCTION MANAGEMENT SERVICES**

**NOTICE IS HEREBY GIVEN** that Bakersfield City School District ("District") is seeking qualified persons, firms, partnerships, corporations, associations, or professional organizations to provide full Construction Management (CM) services for selected projects.

Respondents to the RFQ/P should mail or deliver five (5) bound copies, one (1) unbound copy, and one (1) electronic copy on CD or flash drive of their Submittal, labeled "RFQ/P # 23-08-04 Submittal," to:

**Michael Hamlin**  
**Director of Maintenance, Operations & Facilities**  
**EMAIL: hamlinm@bcsd.com**  
**BAKERSFIELD CITY SCHOOL DISTRICT**  
**1501 Feliz Drive**  
**Bakersfield, CA 93307**

**ALL RESPONSES ARE DUE BY 2:00 P.M. ON TUESDAY, SEPTEMBER 11, 2023.** Oral, telegraphic, facsimile, telephone, and/or email Submittals will not be accepted. Submittals received after this date and time will not be accepted.

Questions regarding this RFQ/P may be directed in writing to Daniel Wastafarro at **wastafarro@bcsd.com** and must be submitted in writing on or by **2:00 P.M. ON TUESDAY, SEPTEMBER 05, 2023.**

Each Submittal must conform and be responsive to the requirements set forth in this RFQ/P. District reserves the right to waive any informalities or irregularities in received Submittals. Further, District reserves the right to reject any and all Submittals and to negotiate contract terms with one or more Respondents for any portion of the services. District retains sole discretion to determine issues of compliance and to determine whether any Respondent is responsive, responsible, and qualified.

**Selected Respondent(s) shall comply with all applicable federal, state, and local laws regarding COVID-19.**

## **I. RFQ/P RESPONSE SCHEDULE**

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

<b>DATE</b>	<b>ACTION ITEM</b>
<b>August 24, 2023</b>	<b>Release of RFQ/P.</b>
<b><u>September 05, 2023</u> at 2:00 P.M.</b>	<b>Last day to receive written questions from Respondents.</b>
<b><u>September 08, 2023</u></b>	<b>Last day for District to issue addenda to answer questions/clarifications.</b>
<b><u>September 11, 2023</u> at 2:00 P.M.</b>	<b>Deadline for Submittals in response to RFQ/P.</b>
<b>Anticipated by September 29, 2023</b>	<b>Notice to selected Respondent(s) for contract negotiation.</b>

## **II. BACKGROUND**

The District is seeking experienced and proven design professionals to provide construction management services. This RFQ/P explains the services sought and generally outlines the requirements.

### Scope of Services

Any firm selected based on this RFQ/P process must be capable of providing full Construction Management services through the design and construction phases of any and all selected projects. The CM will also prepare budgets for selected projects and meet, as needed, with District staff and consultants, school and neighborhood organizations, and upper-level District administrators.

The firm(s) selected as the District's Construction Manager shall assist the District in the preconstruction and construction phases of specific projects, which may include tasks such as:

#### 1. Preconstruction

- Assist the District and its design professional to develop the project scope.
- Assist the District with preparing project and construction estimates and budgets.
- Assist the District with preparing a CPM project schedule.
- Review the design documents for clarity, consistency, constructability, coordination and consistency with the project scope.
- Coordinate transmittal of documents to regulatory agencies for review and approval.

- Assist with prequalifying bidders and maintaining a current list of prequalified bidders.
- Assist the District in selecting special consultants and necessary testing laboratories.
- Assist the District with preparation of solicitation and delivery documents.
- Conduct pre-bid/pre-proposal conferences and coordinate responses to bidder/proposer questions.
- Evaluate bids or proposals and recommend award.
- Other pre-bid/pre-proposal and award tasks the District identifies.

## 2. Construction

- Establish and implement communication procedures among various parties involved in the project.
- Prepare reports including regular reports requested by the District and daily job reports.
- Review and coordinate responses to requests for information, submittals, requests for substitution, proposed change orders, requests for schedule adjustment, and other such requests.
- Manage and track contract changes including change orders and construction change directives.
- Conduct weekly coordination meetings and other necessary meetings.
- Coordinate technical inspection and testing.
- Receive, review, respond to, and otherwise process pay applications and schedule updates.
- Project close out including managing resolution of punch list work, receiving and reviewing contractor close-out documents, managing project acceptance by the District, filing the notice of completion upon authorization, addressing stop payment notices, and processing final payment to the contractor.
- Assist the District to respond to any claims.
- Perform other such services that the District deems necessary.

The CM will not provide architectural, engineering or legal services.

The CM will work under the District's direction.

The District will select the CM firm responsible for any specific project(s) on a project-by-project basis, based on factors including, without limitation, the firm(s) experience, personnel and other resources available, price, and budget.

The selected Firm(s) will not perform any design, inspections, or construction work as a general contractor or subcontractor, and shall not be allowed to self-perform any trade work, nor contract with affiliates to perform such work.

The selected CM must comply with all applicable federal, state and local laws regarding COVID-19.

The anticipated Scope of Services is set forth at **Exhibit A** to the District's form of Master Agreement for Construction Management and Project Management Services ("Agreement"), which is distributed with this RFQ/P as **Appendix A** and incorporated herein by this reference. The exact scope of services and final fee, however, will be negotiated with the selected firm and finalized in any resulting contract.

### **III. FORM OF AGREEMENT**

Respondent must be capable of executing and performing the services in accordance with District's form of Agreement for Construction Management Services ("Agreement"), which is distributed with this RFQ/P as **Appendix A** and incorporated herein by this reference. **Any proposed changes to the form of Agreement must be identified in Respondent's Submittal**; undisclosed change requests may not be entertained.

### **IV. QUALIFIED POOL AND RECERTIFICATION**

District may use this RFQ/P to maintain a pool of qualified Respondents for future consideration. Requests for recertification may be sent in District's sole discretion. Respondents who do not timely satisfy recertification requirements may be deleted from the prequalified pool, at sole discretion of District. Additional firms may be added to the pool, at District's sole discretion.

### **V. LIMITATIONS**

This RFQ/P is neither a formal request for bids, nor an offer by District to contract with any party responding to this RFQ/P. All decisions regarding selection will be made in the District's best interests. The contract award pursuant to this RFQ/P, if at all, is at the District's sole discretion.

District makes no representation that participation in the RFQ/P process will lead to a contract award or any consideration whatsoever. District shall in no event be responsible for the cost of preparing any Submittal in response to this RFQ/P.

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

## **VI. FULL OPPORTUNITY**

District hereby affirmatively ensures that all Respondents including, without limitation, 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/P and will not be discriminated against on the basis of actual or perceived race, color, national origin, ancestry, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, immigration status, or association with a person or group with one or more of these actual or perceived characteristics in any consideration leading to the award of contract.

## **VII. RESTRICTIONS ON LOBBYING AND CONTACTS**

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

## **VIII. SUBMITTAL REQUIREMENTS**

### **A. Format**

Respondents to this RFQ/P must comply with the following format requirements. Material must be in 8-1/2 x 11 inch format. Submittals shall include divider tabs labeled with boldface headers below; e.g., the first tab would be entitled "Cover Letter", the second tab would be entitled "Business Information", etc. Submittals shall be no more than twenty (20) single-sided pages or ten (10) double-sided pages in length. This page limitation excludes front/back covers, divider sheets/tabs, and allowed appendices. Submittals containing more than the authorized number of pages will not be considered.

Provide five (5) bound copies, one (1) unbound copy, and one (1) electronic copy of the Submittal.

- The unbound copy shall be marked "Copy for Reproduction", and shall be formatted as follows:
  - No divider sheets or tabs.
  - Pages with proprietary information removed.
  - A cover sheet listing the firm's name, the total number of pages, and identifying those pages that were removed due to proprietary information.
- The electronic copy will only be accepted via flash drive or CD in the following programs: Microsoft Office Suite or PDF.

### **B. Content**

## 1. Cover Letter

Provide a letter of introduction signed by an authorized officer of Respondent. If Respondent is a joint venture, duplicate the signature block and have a principal or officer also sign on behalf of each party to the joint venture.

Include in the cover letter all of the following:

- Brief description of why Respondent is well suited for, and can meet, District's needs.
- Identification of individual(s) who are authorized to speak for Respondent during the evaluation process.
- One (1) of the follow statements:

*"[INSERT RESPONDENT'S NAME] received a copy of District's form of Agreement for Construction Management Services ("Agreement") attached as Appendix A to the RFQ/P. [INSERT RESPONDENT'S NAME] has reviewed the Agreement, including, without limitation, the indemnity provisions and insurance provisions. If given the opportunity to contract with District, [INSERT RESPONDENT'S NAME] has no objections to the use of the Agreement."*

OR

*"[INSERT RESPONDENT'S NAME] received a copy of District's form of Agreement for Construction Management Services ("Agreement") attached as Appendix A to the RFQ/P. [INSERT RESPONDENT'S NAME] has reviewed the Agreement, including, without limitation, the indemnity provisions and insurance provisions. If given the opportunity to contract with District, [INSERT RESPONDENT'S NAME] has objections to the use of the Agreement, all of which are identified in the Appendix to this Submittal."*

- Certification that no official or employee of District, nor any business entity in which an official of District has an interest, has been employed or retained to solicit or assist in the procuring of the resulting contract(s), nor that any such person will be employed in the performance of any/all contract(s) without immediate divulgence of this fact to District.
- Certification that no official or employee of Respondent has ever been convicted of an ethics violation.
- Evidence that Respondent is legally permitted to conduct business in the State of California and properly licensed (as applicable) for the scope of services.
- Above the signature(s) the following language: *"By virtue of submission, [INSERT RESPONDENT'S NAME] declares that all information provided in the Submittal is true and correct."*

## 2. Business Information

- Company name.
- Address.

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

### **3. Relevant Qualifications**

Describe your firm's experience, expertise, and approach in the following areas:

- Technical capabilities for program planning, condition assessments, scheduling, budgeting, cost estimating review and reconciliation, document control, and public information websites. Detail your firm's budgeting software and if District staff has the ability to inherit and maintain the system once established.
- State and other agencies involved in the planning, design, and construction process for K-12 and other school projects, in particular, the State Department of Education, the Division of the State Architect, and the Office of Public School Construction.
- Valuating/reporting on program status to District staff, Board, and the public.
- Design-build and lease/lease-back projects.
- Flexibility in adapting to the changing needs and priorities of a K-12 school district.
- Modernization versus new construction projects.
- Quality control/assurance procedures, including ability to monitor consultants.
- Sustainability, including Energy Management/Conservation and "Green Buildings," Implementation Plans, Value Engineering, Modular Construction, Facility Design Standards and Master Specifications, and Technology Integration, Planning and Implementation, including data, public address systems, communication systems, and other low voltage systems used in schools.

- Meeting aggressive schedules.
- Identify established methods and approaches utilized by your firm to successfully meet completion deadlines, and provide examples demonstrating effective use of stated methods and approaches.
- Provide a statement of your firm's work plan including your firm's present workload and number of current projects, and where possible, projected workload for the coming two (2) years, which should include available staff.

#### **4. Relevant Project Experience**

Provide information about prior construction management services by your firm in the last ten (10) years on a minimum of three (3) K-12 projects. List the following for each project.

- Reference(s): District name and name of contact person, title, telephone number, and email address to be contacted for a reference.
- Project name and location.
- Beginning and end dates of project (i.e., Notice of Completion and DSA final certification).
- Square footage.
- Main program elements.
- Original budget, bid amount & final amount at close-out.
- Project delivery method utilized.
- Briefly state relevance of the project for consideration in this RFQ/P.
- Specify role of firm or individual if work was not exclusively by the firm (i.e., joint venture, association).
- Key individuals of the firm involved and their roles in the project.
- Any sub-consultants that worked with the firm.

Identify any and all K-12 educational projects that have not been closed-out by DSA and provide explanation.

#### **5. Proposed Project Team**

Identify key team members, including sub-consultants, and state their qualifications relevant to the scope of services and anticipated role in delivering the services. Describe for each his/her/their experience with public school construction projects, including identifying the projects for the past five (5) years.

District expects that the team shall remain intact through the duration of any contract. If a team member must leave, District reserves the right to approve that team member's replacement.



## 6. Litigation History

Provide a comprehensive five (5)-year summary of the firm's claims, litigation, arbitration and negotiated/settled history with previous clients ("Claims"). This includes current/ongoing Claims. For each Claim, state the issues in the Claim, the status of the Claim, names of parties, and outcome. A Submittal failing to provide the requested information on past and present Claims, including lawsuits, and responses which assert attorney-client privilege and fail to provide the information requested, will be considered non-responsive, disqualified from the selection process, and will not be evaluated.

## 7. Fee Proposal

Based on the anticipated scope of services, provide detailed fee and hourly rate information that will enable District to evaluate Respondent's pricing and, if selected, facilitate a fee negotiation. At a minimum, include proposed: hourly billing rates by position, staffing plan, and reimbursable schedule.

## 8. Appendix

Shall include:

- Executed Iran Contracting Act Certification (**Appendix B**)

May include:

- Key team member resumes.
- Identification and explanation of any and all objections to the form of Agreement.

## IX. SELECTION PROCESS

### A. Evaluation and Selection Criteria

A selection committee will evaluate all submissions. Incomplete submittals will be considered nonresponsive and grounds for disqualification. The District retains the sole discretion to determine issues of compliance and to determine whether a respondent is responsive, responsible, and qualified. Based upon the information presented in the submissions, the District's selection committee *may* request the most highly qualified firms to participate in an interview process.

If a firm is requested to come for an interview, the key proposed staff will be expected to attend the interview. The interview will be an opportunity for the District's selection committee to review the firm's Submittal and other matters the committee deems relevant to its evaluation. **Any comments or objections to the District's form of Agreement attached to this RFQ as Attachment A may be the subject of inquiry at the interview.**

Following the interviews, if any, the selection committee anticipates making recommendations to District staff regarding selected firms to be part of the District's pool. As services are needed for specific projects, District staff may assign one or more projects to one or more firms from the pool and/or may request that firms from the pool submit a more detailed fee and services proposal, at which time they will develop a detailed scope of services, proposed fee and schedule.

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

- Overall responsiveness of the Submittal;
- Experience and performance history of Respondent with similar services;
- Experience and results of proposed personnel;
- Value of services under proposed fees;
- References from clients; and
- Technical capabilities and track record of use.
- Value of services under proposed fees;
- Interview performance.

**B. District Investigations**

District may perform investigations of Respondents that extend beyond contacting the references identified in the Submittal. District may request a Respondent submit additional information pertinent to the review process.

**C. Interviews**

District, at its sole discretion, may elect to interview one or more Respondents. If a Respondent is requested to come for an interview, the key proposed staff will be expected to attend the interview. **Any proposed changes to the form of Agreement attached hereto as Appendix A shall be provided with the Submittal and may be the subject of inquiry at the interview.**

**D. Final Determination and Award**

District reserves the right to contract with any entity responding to this RFQ/P for all or any portion of the services described herein, to reject any Submittal as nonresponsive, and/or not to contract with any Respondent for the services described herein. District makes no representation that participation in the RFQ/P process will lead to an award of contract or any consideration whatsoever. District reserves the right to contract with any person or firm not participating in this process. District shall in no event be responsible for the cost of preparing any Submittal in response to this RFQ/P, including any supporting materials.

Awarding of contract(s) is at sole discretion of District. District may, at its option, determine to award contract(s) only for portions of the scope of services identified herein. In such case, the successful Respondent(s) will be given the option not to agree to enter into the contract and District will retain the right to negotiate with any other Respondent selected as a finalist. If no finalist is willing to enter into a contract for the reduced scope of work, District will retain the right to enter into negotiations with any other Respondent to this RFQ/P.

**WE THANK YOU FOR YOUR INTEREST!**

**APPENDIX A**

**Form of Agreement**

See separate pdf titled "Appendix A – Master Agreement for Construction Management and Project Management Services"

**APPENDIX B**

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

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

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

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

**CERTIFICATION:**

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

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

END OF DOCUMENT