

**Chico Unified School District
2455 Carmichael Drive, Chico, CA 95928**

June 21, 2017

**REQUEST TO PREQUALIFY AND FOR STATEMENT OF QUALIFICATIONS FOR
PRELIMINARY AND CONSTRUCTION SERVICES (LEASE-LEASEBACK)**

The Chico Unified School District (“**District**”) is requesting submission of:

- A prequalification questionnaire (“**Prequalification Questionnaire(s)**”), if contractor is not currently prequalified with the District, and
- A statement of qualifications (“**SOQ(s)**”) (together, “**Response(s)**”), from qualified firms, partnerships, corporations, associations, persons, or professional organizations (“**Contractor(s)**” or “**Firm(s)**”) to perform preliminary services and construction services for projects pursuant to a lease-leaseback structure. (Education Code section 17406.)

Pool. This request is not a formal request for bids or an offer by the District to contract with any Contractor responding to this Request to Prequalify and for Statement of Qualifications (“**RFQ/P**”). The District intends to create a pool of qualified Contractors that the District intends to maintain for two (2) years from which, proposals on certain projects will be solicited. The projects that the District intends to award pursuant to this RFQ/P are listed in **Attachment 1** to this RFQ/P (“**Project(s)**”). Contractors that intend to submit a Response must:

- Hold a Class B Contractors License, which is current, valid, and in good standing with the California Contractor's State License Board; and
- Maintain a full-service office within one hundred (100) miles of the District, and
- Prequalify with the District with a demonstrated ability to bond the size of projects outlined in this RFQ/P

Responses. Interested Contractors are invited to submit a Response as described below,

- **Prequalification Questionnaires must be completed** by the date indicated in the RFQ/P Schedule.
- **SOQs must be received** by the date indicated in the RFQ/P Schedule. with one (1) original and five (5) copies of requested materials as well as a digital copy on a thumb drive, to: **Chico Unified School District, 2455 Carmichael Drive, Chico, CA 95928, Attn: Julie Kistle, Director, Facilities & Construction.**

Questions. Questions regarding this RFQ/P must be in writing and directed only to **Maria Campos at mcampos@chicousd.org** by the date indicated in the RFQ/P Schedule. Contractors are directed to not contact any other person regarding this RFQ/P.

RFQ/P Addenda. If the District issues addenda to this RFQ/P, Contractors are solely responsible for and must acknowledge receipt of addenda in the Contractor’s SOQ. Failure to acknowledge and respond to any addenda issued by the District may, in the District’s sole discretion, render the Contractor’s SOQ to be deemed non-responsive and may be rejected.

RFQ/P Schedule. The District has set the following RFQ/P Schedule that all Contractors must adhere to. The District reserves the right to modify this RFQ/P Schedule and will issue an addendum if it modifies this RFQ/P Schedule.

Event / Occurrence	Date / Deadline
District Issues RFQ/P	June 21, 2017
Deadline for Contractors to submit questions regarding this RFQ/P	3:00 PM, June 30, 2017
District to respond to Contractors’ questions regarding this RFQ/P	July 7, 2017
Deadline for Contractors to complete Prequalification Questionnaires	3:00 PM, July 14, 2017
Deadline for Contractors to submit SOQ	3:00 PM, July 14, 2017
District to notify Contractors of qualification status	July 21, 2017
District to interview qualified Contractors	August 9 & 10, 2017
District Board approves pool of Contractors	August 16, 2017

1. General Information.

- 1.1. **General Services.** The District invites qualified Contractors to submit a Response related to its ability to provide the Services, as more fully indicated herein. Contractors must have extensive experience with the Office of Public School Construction (“OPSC”), the Uniform Building Code (“UBC”), Title 24 of the California Code of Regulations, and the Division of the State Architect (“DSA”). Contractors must have extensive experience in the construction of public school facilities, working with public school district representatives, working with architects, contractors and other school facility related consultants, and establishing project scope, project budgets, and bidding procedures under both the Public Contract Code’s formal bidding process and under alternative construction delivery methods.
- 1.2. **Lease-Leaseback Structure.** The Projects may be funded from various sources, and any agreement reached will conform to the statutory framework for the lease-leaseback delivery method. (Education Code section 17406, et seq.) The Contractor will be responsible for financing a portion of the construction of the Project. During construction, the District shall pay tenant improvement payments. Once the Project is complete, the Contractor shall lease the facilities constructed back to the District for a pre-determined monthly lease payment amount and lease period.
- 1.3. **Scope of Services.** The selected Contractor for each Project must be willing and able to, in good faith, propose to construct one or more of the Project(s) listed in **Attachment 1** if and when the District issues request(s) for proposals for those Projects (“**Services**”), including the subcontractor procurement process that all Contractors are required to follow which will be detailed in each request for proposals. Those processes(s) shall comply with the District’s Subcontractor procurement process as indicated in **Attachment 5 (“Subcontractor Procurement Process”)**.
- 1.4. **Agreement.** For each project solicited under this RFQ/P, the District intends to use the Lease-Leaseback Agreement forms attached hereto as **Attachment 2 (“Agreement”)**. Contractors will be required to substantially accept these forms for all projects solicited under this RFQ/P, including the indemnification provision(s) therein which encompass the subcontractor procurement process.
- 1.5. **Skilled Workforce.** Within the Agreement is the statutory requirement that the successful Contractor and its Subcontractors at every tier use a skilled and trained workforce at minimum percentages, as defined in Education Code section 17407.5, to perform all Work on the Project that falls within an apprenticeable occupation in the building and construction trades. The successful Contractor will be required to provide monthly reports, demonstrating compliance by itself and its Subcontractors at every tier with the skilled work force requirements described in Education Code section 17407.5.

2. Prequalification.

- 2.1. **Contractor Prequalification.** All Contractors must submit one application by the dated indicated in this RFQ/P Schedule, the Prequalification Questionnaire attached hereto as **Attachment 3** related to its ability to provide the Services as indicated herein. (Public Contract Code section 20111.6.).
- 2.2. **Subcontractor Prequalification.** Some or all of the subcontractors that will be utilized on each Project must also be prequalified, but that subcontractor prequalification process will **not** be part of this RFQ/P step. The District will implement the subcontractor prequalification process when

the District requests proposals for each Project and may, at that time, prescribe the dollar limit for each prequalified subcontractor per project.

3. **Contractors' SOQs.** Contractors' SOQs must be concise, well-organized, and consecutively numbered on each page and must include the following information, using the following outline structure, except as may be otherwise directed. The Contractors' SOQ shall **be no longer than fifty (50) single sided pages, on 8½" x 11" paper**, inclusive of résumés, forms, and pictures, and **tabbed** according to the numbering system reflected below. Each Contractor's SOQ must demonstrate Contractor's qualifications, and shall include the following items and information:
 - 3.1. **Letter of Interest.** A dated Letter of Interest must be submitted, including the legal name of the Contractor, address, telephone, emails, and the name, title, and signature of the person authorized to submit the SOQ on behalf of the Contractor. The Letter of Interest should provide a brief statement of the Contractor's experience indicating the unique background and qualities of the Contractor, its personnel, and what will make the Contractor a good fit for work in the District.
 - 3.2. **Table of Contents.** A table of contents of the material contained in the SOQ must follow the letter of interest.
 - 3.3. **Executive Summary.** An executive summary that outlines the Contractor's philosophy, along with a brief summary of the Contractor's qualifications.
 - 3.4. **Proposed Personnel/Contractor Team.** Include resumes of key personnel who would be performing Services for the District. Specifically, define the role of each person and outline his or her individual experience and responsibilities. Indicate personnel who will serve as primary contact(s) for the District. Indicate each person's availability to provide the Services.
 - 3.5. **Contractor's History.** Provide a brief history of the Contractor, and, if a joint venture, of each participating entity.
 - 3.6. **Contractor's Experience with Lease-Leaseback.** Describe the Contractor's experience performing projects pursuant to a lease-leaseback structure.
 - 3.7. **Contractor's Ability to Perform Preliminary Services.** The form of Agreement attached hereto as **Attachment 2** includes a scope of work for Preliminary Services. Describe the Contractor's ability and past experience performing those Preliminary Services.
 - 3.8. **Contractor's Approach to Work.** Describe how the Contractor intends to work with the District's administration officials to perform the Services, including assistant superintendents, facilities directors, teachers and site principals, to develop management techniques and responses related to the unique challenges of the District's educational program requirements.
 - 3.9. **Letters of References.** Include letters of reference or testimonials, if available. Contractor should limit letters of references or testimonials to no more than ten (10).
 - 3.10. **Schedule.** Discuss the Contractor's ability to prepare and meet achievable construction schedules for lease-leaseback projects, Contractor's schedule management procedures, and how the Contractor has successfully handled potential delays.
 - 3.11. **Budget.** Discuss the Contractor's ability to manage costs and stay within budgets on comparable projects.

- 3.12. Cost Savings / Value Engineering.** The District is seeking a Contractor that has direct experience and/or can demonstrate an aptitude to “value engineer” or analyze a project’s plans, components, and features, and find more efficient and cost-effective methods or alternatives. Describe your Contractor’s suggestions, recommendations, alternatives or other valuation determinations that the Contractor could implement on the Projects.
- 3.13. Local Community & Outreach.** Describe the Contractor’s involvement in the community, knowledge and understanding of the local environment, community outreach, and Contractor’s local presence. Provide a plan for implementing local outreach, including local trade contractors.
- 3.14. Specialized Construction Experience.** Describe and provide examples of the Contractor’s experience and ability to perform its specialized construction activities specific to the project outlined in this RFQ/P/P (example: kitchen, theater, sports). Also, describe the Contractor’s experience in constructing either CHPS and/or LEED certified buildings.
- 3.15. Contractor’s Current Work Commitments/Project Limitations.**
- 3.15.1. Specify the current and projected workload of Contractor. If applicable, provide a statement of all recent, current, or anticipated contractual obligations that relate in any way to similar work for the District that may have a potential to impede Contractor’s ability to provide the Services described herein to the District.
- 3.15.2. Indicate Contractor’s limitation or Surety restrictions related to the size of Project that Contractor can contract for and can effectively perform.
- 3.16. Compensation.** The District is not asking in this RFQ/P that Contractors provide a specific proposal for a Project or for a final price to construct a Project. For the purpose of evaluation, assume your firm is providing services for the Marigold Elementary Project. At this time, Contractors must provide the following information only:

Item	Amount
Staffing that would be part of Preliminary Services	
Project Manager (hourly rate)	\$ _____
Constructability Reviewer (hourly rate)	\$ _____
Estimator (hourly rate)	\$ _____
Scheduler (hourly rate)	\$ _____
Staffing that would be part of General Conditions	
Project Executive (hourly rate)	\$ _____
Project Manager (hourly rate)	\$ _____
Project Superintendent (hourly rate)	\$ _____
Project Engineer (hourly rate)	\$ _____
Fee / overhead & profit (as a percentage of direct costs)	_____ %
Bond & insurance cost (as a percentage of direct costs)	_____ %

3.17. Agreement Form. If a Contractor has any comments or objections to the Agreement attached as hereto as **Attachment 2** to this RFQ/P, it shall provide those comments or objections in its SOQ. **PLEASE NOTE: The District will not consider any substantive changes to the form of Agreement if they are not submitted at or before the time the SOQ is due.**

4. District’s Evaluation / Best Value Selection Process. The District shall evaluate Firms’ Responses based on a best value determination process

4.1. Criteria for Best Value Selection Process. The District wishes to retain Contractors that have the financial strength, management and expertise to deliver a Project within a proposed schedule and within an established budget. The District reserves the right to choose any Contractor for any Project. The Contractor will be selected based on qualifications and demonstrated competence that include relevant experience with California public school construction, with State of California’s School Facilities Program, and a proven track record for cost-efficient and timely construction projects.

4.2. Scoring. The following table indicates how the District will score steps 1 – 4. The scoring and criteria for all steps are included in **Attachment 3** to this RFQ/P. Only Firms that receive the minimum qualification points as required at each step will move to the next step.

STEP 1: Scoring of Prequalification Questionnaire	Minimum qualification points required in STEP 1 for Firms to proceed to STEP 2: 100 Total maximum possible points at the end of STEP 1 is 134 .
STEP 2: Scoring of SOQ	Minimum points required in STEP 2 for Firms to proceed to STEP 3: 170 Total combined maximum possible points at the end of STEP 2 is 220. The District will only interview Firms that have the required minimum score after STEP 2. Top 8-10 Scoring Respondents from Step 1 and Step 2 cummatively, move on to Step 3.
STEP 3: Scoring of Interviews	The District, at its discretion, may elect to forego conducting interviews. If the District conducts interviews, then the following shall apply: Minimum qualification points required in STEP 3 to be considered for the Project: 75 Total maximum possible points from Interview is 125.

BEST VALUE DETERMINATION	
If the District conducts interviews, the District shall determine the Best Value by the points from STEP 3.	
If the District does not conduct interviews, the District shall determine the Best Value by the points from STEP 2.	
The District’s Board shall select the Firms with the <u>highest</u> best value score to advance to the LLB Entity Pool, if it selects any Firms and announce its award, identifying the Firms to which the award is made, along with a statement regarding the basis of the award.	

Please note: Not every LLB Entity in the pool will be awarded a project. Step 4 of the process will include additional cost proposal competition between selected LLB Entities in the pool at the District's sole discretion.

- 4.3. Notification.** The District will notify Firms of their status after each Step. Firms that do not receive the required minimum qualification points from STEP 2, may request in writing a debriefing, which will be restricted to no more than two (2) persons from the Firm to have a discussion with the District staff regarding that Firm's Response. All debriefings will take place via a conference call or an in-person meeting, at the District's sole discretion.
- 4.4.** During the evaluation of the Responses, contact shall only be through the individual identified in the RFQ/P. Firms shall neither contact nor lobby evaluators during the evaluation process. Attempts by a Firm to contact and/or influence the District may result in disqualification of that Firm.
- 4.5.** The District reserves the right to contract with any Contractor responding to this RFQ/P for all or some of the Projects, to reject any Response as non-responsive, and not to contract with any Contractor for the Services described herein. The District makes no representation that participation in the RFQ/P process will lead to an award of contract or any consideration whatsoever. The District reserves the right to seek Responses from or to contract with any Contractor not participating in this process. The District shall in no event be responsible for the cost of preparing any SOQ. The District reserves the right to adjust the structure of the Project(s) and to request a successful Contractor provide initial pricing information, fee(s) for preliminary services, general conditions, partial construction services, etc., by Project and by a phase within a Project.
- 4.6.** All SOQs will become the property of the District and subject to the California Public Records Act, Government Code sections 6250, et seq. Those elements in an SOQ that are trade secrets as that term is defined in Civil Code section 3426.1(d) or otherwise exempt by law from disclosure and which are prominently marked as "TRADE SECRET," "CONFIDENTIAL," or "PROPRIETARY" may not be subject to disclosure. The District shall not be liable or responsible for the disclosure of any such records including, without limitation, those so marked if disclosure is deemed to be required by law or by an order of the Court. A Contractor that indiscriminately identifies all or most of its SOQ as exempt from disclosure without justification may be deemed non-responsive. In the event the District is required to defend an action on a Public Records Act request for any of the contents of an SOQ marked "Confidential," "Proprietary," or "Trade Secret," the Contractor agrees, by submission of its SOQ, to defend and indemnify the District from all costs and expenses, including attorneys' fees, in any action or liability arising under the Public Records Act.

Attachment 1

POTENTIAL PROJECT(S) AND ANTICIPATED CONSTRUCTION (HARD COST) BUDGETS

<p>Shasta Elementary School New Construction Construction of new Administration Building, Kindergarten Complex, three new classroom wings, parking lot expansion and related site work.</p> <p><u>Anticipated Schedule</u> Inc #1 DSA Submittal: 7/31/17 DSA Approval: 9/25/17 Construction: 9/26/17 – 1/12/18</p> <p>Inc #2 DSA Submittal: 9/11/17 DSA Approval: 1/15/18 Construction: 1/16/18 – 9/28/18 (depending on phasing from LLB)</p>	<p>\$15,000,000</p>
<p>Loma Vista New Construction Construction of new building, parking and bus drop-off and related site work; the demolition and abatement of existing school buildings.</p> <p><u>Anticipated Schedule</u> DSA approval of documents: 12/1/2017 Bidding: 12/2017 – 1/2018 Construction: 2/2018 – 8/2019</p>	<p>\$14,000,000</p>
<p>Marigold Elementary School New Construction and Modernization Construction of new two-story classroom building, renovation of three existing buildings, addition of new Administration/Multi-purpose building, kindergarten playground, parking, bus drop-off and related site work; demolition and abatement of existing classroom buildings.</p> <p><u>Anticipated Schedule</u> DSA approval of documents: 4/1/2018 Bidding: 4/2018 – 5/2018 Construction: 5/2018 – 12/2020</p>	<p>\$26,000,000</p>
<p>Neal Dow Elementary School New Construction and Modernization Construction of a new Classroom Building and new Multi-purpose building, Renovation of existing classroom and library buildings, Modernization of existing classrooms, relocation of Administration and related site work.</p> <p><u>Anticipated Schedule</u> DSA approval of documents 7/17/2018 Bidding 7/2018 – 10/2018 Construction 11/2018 – 6/2020</p>	<p>\$14,000,000</p>

Schematic Designs can be reviewed at: <https://www.dropbox.com/sh/sgtkggz1a5cwm2c/AADRzHAVTBtd9S-Z7GfKRJ67a?dl=0>.

Attachment 2

LEASE LEASEBACK AGREEMENT

*See separate attachment

Attachment 3

PREQUALIFICATION QUESTIONNAIRE

*See separate attachment

**If firm is already approved for 2017, attach District approval letter.

Attachment 4

DISTRICT’S SCORING OF BEST VALUE SELECTION PROCESS FOR CONTRACTORS

STEP 1 – PREQUALIFICATION SCORING

1. **Confirm Firm has passing answers for the “Pass/Fail Questions.”**
2. **Confirm Firm has submitted the required financial statements.** If not, notify Firm in writing that its Proposal is non-responsive for failing to include the required financial statements.
3. **Score the “Evaluated Questions.”**

Topic/Question	Scoring & Max. Poss. Score	Score
6. Years in business	3=2, 4=3, 5=4, 6+=5	5
7. Current Bankruptcy	No = 3 points; Yes = 0 points	3
8. Bankruptcy w/in 5 years	No = 3 points; Yes = 0 points	3
13. CSLB Suspension	No = 5 points; Yes = 0 points	5
14. Liquidated Damages	No = 5 points; Yes (2)= 3 points	5
15. Disqualified from bidding w/in 5 years	No = 5 points; Yes = 0 points	5
16. Unresponsive bidder	No = 5 points; Yes = 0 points	5
17. Claim against firm w/in 5 years	0-1 instances=5, 2=3, 3+=0	5
18. Claim against owner w/in 5 years	0-1 instances=5, 2=3, 3+=0	5
19. Surety payments w/in 5 years	0-1=5, 2=3, minus 5 for more than 2 claims	5
20. Insurance Non-Renewal w/in 5 years	0-1=5, 2=3, 3+=0	5
21. Found Liable in court	No = 5 points; Yes = -5points	5
22. Crime Conviction related to construction	No = 5 points; Yes = -5 points	5
23. Convictions of firm or officers	Yes = -5 points; No = 5 points	5
25. Bond Premiums	<1%=5, <1.1%=3, >1.1=0	5
27. Bond Coverage denied or without w/in 5 years	Yes = 0 points; No = 5 points	5
28. CAL OSHA	0-1 instance=5, 2=3, 3+=0	5
29. Federal OSHA	0-1 instances=5, 2=3, 3+=0	5
30. EPA or Air Quality	0-1 instances=5, 2=3, 3+=0	5
31. Safety meetings	1 per week or greater=3, anything else=0	3
32. EMR	.95 EMR or less for 3 years=5, .95-1.00=3, anything else=0	5
33. Worker’s Compensation	0-1 instances=5, 2+=0	5
34. Back Wages	0-2 instances=5, 3=3, 4+=0	5
35. Federal Davis-Bacon Requirements	0-2 instances=5, 3=3, 4+=0	5

36. Apprenticeship program	1+=5, Less than 1=0	5	
37. Firm operated Apprentice program	5 points if one or more complete, 0 if none	5	
38. Violation of Apprenticeship laws	0-2 instances=5, 3=3, 4+=0	5	
39. Completed Projects	At least 2 schools or colleges listed	5	
TOTAL		134	

STEP 2 – SOQ SCORING

The following scoring will be used in evaluating the Firm’s SOQ responses to the following criteria, which will be determined by review all portions of the SOQ, including the “Content of SOQs” section of the RFQ/P.

Item	Description	Maximum Qualification Points	Firm’s Qualification Points
1. Compensation	Competiveness of Contractor’s proposed compensation.	40	
2. Personnel / Subconsultants	Firm’s team members, especially team leaders, demonstrate applicable experience and expertise to perform Services.	30	
3. LLB Projects	Firm demonstrates past experience and expertise with LLB process.	20	
4. Preliminary Services	Firm demonstrates past experience and expertise to perform all Preliminary Services.	25	
5. Cost Savings / Value Engineering	Firm demonstrates past experience and expertise to perform value engineering services for the Project.	20	
6. Budget	Firm demonstrates past experience and expertise to manage costs and stay within budgets on projects.	15	
7. Schedule	Firm demonstrates ability to prepare and meet achievable construction schedules schedule management procedures, and successful handling of potential delays.	20	
8. Local Community / Outreach	Firm demonstrates involvement in community and efforts at community and local outreach and compliance with the District’s Local Hiring Procedures.	5	
9. Approach to Work	Firm demonstrates knowledge of project and presents strategic plan implementation to meet District goals	25	
10. Special Construction	Firm indicates its past experience performing specialized construction specific to project outlined in this RFQ/P	15	
11. Current Work Commitments	Firm describes current and projected workload.	5	
	Total Score	220	

STEP 3 – INTERVIEW SCORING

Firms meeting or exceeding the minimum total qualification points through Step 2 will be invited to interview with the District. The subject matter for the interview will be at the District’s discretion but shall include, at a minimum, the following topics.

Item	Maximum Qualification Points	Qualification Points
<p>1. Past Projects/Experience: Firm’s articulation of Firm’s history, education, and background; Firm’s experiences working with similar, past projects; issues faced and how addressed (i.e. claims, bonding/surety involvement, owner relations, citations, etc.); and questions, concerns, and highlights from the Proposal.</p>	30	
<p>2. Personnel/Leadership: Firm’s articulation of its Project-designated personnel, leadership, subcontractor relations, apprenticeship program, etc.</p>	35	
<p>3. Current Project: Firm’s articulation of how it will construct the Project, its ideas related to constructability, and other construction-specific ideas, concerns, or related issues (i.e. schedules, budgets, subcontractor selection, etc.).</p>	35	
<p>4. Overall Ability and General Suitability. Firm’s articulation of its overall skills, ability to complete the Project, and general suitability for the District’s purposes (i.e. implementation of District policies and procedures, compliance with District Programs, political atmosphere, additional information, etc.)</p>	25	
SUBTOTAL QUALIFICATION POINTS FROM STEP 3	125	

Attachment 5

SUBCONTRACTOR PROCUREMENT PROCESS (CONTRACTORS MUST FOLLOW FOR SUBSEQUENT RFPS)

(Low Bid Only)

Bidding for Subcontractor Work. Each request for proposal (“RFP”) that is later issued by the District shall require each Contractor to prequalify some or all subcontractors and shall comply with the requirements for the procurement of Subcontractors set forth in Education Code section 17406 and as further detailed in each RFP. The Subcontractor procurement process will be adapted by the District as needed for each Project. The Subcontractor procurement process may be one or a combination of the following processes:

- **One Step Process of Low-Bid.** The RFP may ask for a lump-sum cost for the project and the District will select the Contractor on a low-bid basis, a best-value basis, or a combination of both. All Contractors’ subcontractors in excess of ½ of 1% of that lump sum cost shall be identified in the Contractors’ proposals, shall be awarded on a low bid basis, and shall be afforded the protections of the Subletting and Subcontracting Fair Practices Act. (Public Contract Code § 4100, et seq.).
- **Two-Step Process of Low-Bid.**
 - Step 1.** The RFP may ask Contractors to provide (1) some initial pricing information (e.g., fee for preliminary services, general conditions, partial construction services, etc.) and (2) some subcontractors be identified in the proposal. The District will select the Contractor on a low-bid basis, a best-value basis, or a combination of both.
 - Step 2.** The selected Contractor, when directed later by the District, shall provide a final lump sum guaranteed project cost and will award subcontracts on a low-bid basis.

The Contractors shall provide notice of bidding for all subcontractors “in accordance with the publication requirements applicable to the District’s competitive selection process.” **The District intends to work with the Contractors for each Project to issue an advertisement to solicit subcontractors in compliance with statutory requirements and the District’s process.**