



REQUEST FOR PROPOSAL
CONSTRUCTION MANAGEMENT/GENERAL
CONTRACTOR SERVICES
Solicitation CCSD-CM/GC-03082024

This Request for Proposals (RFP), has been determined to be the appropriate procurement method to provide the best value to the Cache County School District (“CCSD” or “District”). The RFP is designed to provide interested offerors with sufficient basic information to submit proposals meeting minimum requirements but is not intended to limit a proposal's content or exclude any relevant or essential data. Offerors are at liberty and are encouraged to expand upon the specifications to evidence service capability under any agreement. CCSD will not be liable for any cost’s proposers may incur in the preparation or presentation of this proposal.

This RFP is issued in accordance with State of Utah Procurement Code, Utah Code Annotated (UCA) Chapter 63G-6a, and applicable Rules found in the Utah Administrative Code (UAC). If any provision of this RFP conflicts with the UCA or UAC, the UCA or UAC will take precedence.

I. PURPOSE OF REQUEST FOR PROPOSAL (RFP)

The purpose of this request for proposal is to enter into a contract with a single qualified contractor to provide Construction Management/General Contractor Services for modifications, additions and repairs to various school district facilities located in Cache County, Utah. As modifications, additions and repair projects are identified during the term of this contract they will be designed and built by the successful proposer as budgets allow with the sequence determined by the District. CCSD reserves the right to award any future project to other contractors in the best interest of the District.

II. ISSUING OFFICE AND RFP REFERENCE NUMBER

The District’s Purchasing Department is the issuing office for this document and all subsequent addenda relating to it, on behalf of the Cache County School District Construction and Maintenance Department. The reference number for the transaction is Solicitation CCSD-CM/GC-03082024 This number must be referred to on all proposals, correspondence, and documentation relating to the RFP.

No contact is to be had with any district employees or Board of Education members during the RFP process through contract award regarding the RFP. Contact is to be made through the Purchasing Department via the **Utah Public Procurement Place (“U3P”)**.

NOTICE: Wherever the term bid, bidder, bidding or quote appears in this solicitation or reference is made to a bid, bidder, bidding, or quote, it shall be interpreted to mean offeror, as defined in 63G-6a-103(52), RFP, or Request for Proposals, as defined in 63G-6a-103(70) and the procurement shall be conducted subject to the provisions of 63G-6a-701-707.5

III. LENGTH OF CONTRACT

The Contract resulting from this RFP will begin in May of 2024 and run for three (3) years until May of 2027.

The contract may be extended beyond the original contract period year-to-year for up to two (2) additional years at the school district's discretion and by mutual agreement.

The District reserves the right to review the contract on a regular basis regarding performance and cost analysis and may negotiate price and service elements during the term of the contract.

IV. PRICE GUARANTEE PERIOD

All pricing must be guaranteed for the entire term of the contract.

V. CONTRACT TERMS AND CONDITIONS – PLEASE READ CAREFULLY

AIA Document A133-2019 "Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price" will be the form used as a contract for this project.

The fixed cost of each of the projects as they are identified will be submitted by the CM/GC to the CCSD Facilities Manager by way of a cost proposal. Upon the approval of the Facilities Manager, the signed cost proposal will become an amendment to the contract and will add the scope of the project to the original contract.

The maximum price of any single project will not exceed \$1,500,000. Any project valued in excess of \$50,000 will require the CM/GC to provide performance and payment bonds.

Projects will occasionally be performed under this contract without the services of an Architect. On those specific projects the Amendment will indicate that the word "Owner" will be substituted in the appropriate locations for "Architect" where it appears in the AIA Document A133-20019 and AIA Document A201-20017. In paragraph 4.3 of AIA Document A133-2019 the word "shall" will be replaced with "may" where it occurs. Paragraph 12.1.2 will be replaced with the following: The Owner will serve as the Initial Decision Maker pursuant to Section 15.2 of AIA Document A201-2007 for Claims arising from or relating to the Construction Manager's Construction Phase services.

AIA Document A201 - 2017 "General Conditions of the Contract for Construction" will be the General Conditions of this Contract with the following modifications:

15.1.1 Add these sentences to the end of the paragraph: A claim must contain the following explicit language in order to be recognized as a "Claim": **"THIS IS A CLAIM AS DEFINED BY**

CLAUSE 15.1.1 OF AIA DOCUMENT A201.”

15.2.6 Delete paragraph in its entirety.

15.2.6.1 Delete paragraph in its entirety.

15.3.1 Substitute the word “may” for “shall” and add the following at the end of the paragraph: All claims and disputes between the Contractor and the Owner will be decided in a forum determined at the sole discretion of the Owner. If the Owner determines that a claim or dispute will be mediated, the guidelines set forth in Clause 15.3 will govern the mediation.

VI. DETAILED SCOPE OF WORK

The projects to be completed under this contract will consist of work from any of the Divisions from the Masterformat 2016 specifications as noted below:

01	General Requirements	14	Conveying Equipment
02	Existing Conditions	21	Fire Suppression
03	Concrete	22	Plumbing
04	Masonry	23	Heating, Ventilating and Air Conditioning
05	Metals	25	Integrated Automation
06	Wood, Plastics and Composites	26	Electrical
07	Thermal and Moisture Protection	27	Communications
08	Openings	28	Electronic Safety and Security
09	Finishes	31	Earthwork
10	Specialties	32	Exterior Improvements
11	Equipment	33	Utilities
12	Furnishings	34	Transportation
13	Special Construction		

CM/GC Work Phases

The CM/GC Work for each identified project consists of two (2) phases: Pre-construction and Construction.

- A. Preconstruction Phase: This phase of the Work includes, but is not limited to, attending design meetings, estimating and cost control, schedule development, design document creation and bidding. The Construction Manager shall monitor the bid climate and make recommendations to CCSD as to the most advantageous bidding time/schedule and then solicit bids from subcontractors. The CM/GC will be required to provide a Guaranteed Maximum Construction Price (GMP) after receiving bids from subcontractors and prior to beginning the Construction Phase.
- B. Construction Phase: This phase of the Work consists of the Contractor furnishing and installing all Work as required in the Contract Documents.

Bidding Services.

When entering into a subcontract the CM/GC shall procure the subcontractor by using a standard procurement process in the same manner as if the subcontract work was procured directly by CCSD. Cache County School District's Facilities Manager shall be notified by the Construction Manager of the location, date, and time of each bid opening and CCSD shall have the right to be present and fully participate in such bid opening. Detailed, full, complete tabulations of all bidding must be submitted to CCSD.

- Prequalification Criteria. The CM/GC shall prepare, when appropriate, prequalification criteria for bidders. Subcontractors and suppliers at all tiers must be properly licensed in the State of Utah and must meet all qualification requirements of the specifications/Contract Documents.
- Ensure Bids are Received. The CM/GC is responsible for the procurement of subcontractors and suppliers for the Project. The CM/GC shall develop Subcontractor interest to ensure bids are received.
- Pre-Bid Conferences. The CM/GC shall conduct pre-bid conferences as appropriate to familiarize potential bidders with the bidding documents. The CM/GC shall ensure that the Construction Documents are available to all potential bidders.
- Comply with Procurement Code. All procurements recommended and conducted by the CM/GC shall be in accordance with one of the source selection methods provided for in the Utah Procurement Code, UCA 63G-6a in the same manner as if the subcontract Work was procured directly by CCSD.
- Selection of Bidders. The CM/GC shall receive bids, prepare bid analyses and award subcontracts or reject bids. CCSD shall be consulted during this procurement process, however, the determination and responsibility for the procurement of the subcontractors and suppliers is that of the CM/GC.
- Bidders Contract with CM/GC Only. There shall be no contractual relationship between the subcontractors/suppliers and CCSD or A/E. The CM/GC shall prepare and execute the required subcontractor/supplier agreements. The CM/GC shall be fully responsible for the performance of its Subcontractors and suppliers at any tier.
- Self Performed Work. The Contractor must bid self-performed work against other subcontractors. The Contractor's bid will then be evaluated by CCSD and must be determined to be the best value bid for the work to be awarded to the Contractor. The cost of any work that is self-performed will be part of the established GMP.

VII. **ANTICIPATED SOLICITATION TIMELINE**

Event	Date
Release RFP	February 29, 2024
Questions Deadline-via U3P website	March 7, 2024
RFP Due	March 8, 2024 2:00pm, MST
Anticipated Evaluation Period	March 11-15

VIII. **QUESTIONS**

All questions shall be submitted through the **Utah Public Procurement Place (“U3P”)**. Answers will be given by the Purchasing Department via the **U3P site**.
<https://bids.sciquest.com/apps/Router/PublicEvent?CustomerOrg=StateOfUtah>

IX. **PROPOSAL RESPONSE FORMAT**

All proposals must include a technical proposal and cost proposal. Formats for both documents follow:

A. **Technical Proposal Format**

- Hard copies are to be tabbed by section.
- Submit a minimum of five (5) copies of the Proposal.

The following information must be provided bound with tab dividers marked to correspond with the paragraph numbers of the requirements listed below.

TAB 1. General Firm Information

- Contractor's letterhead showing the address of its current Utah office.
- State the firm’s ability to respond “in person” within 4 hours of a call.
- Provide the number of its current Utah State License as a General Contractor, the date of issuance and a statement that said license is in active status.
- Demonstrate that it carries the following minimum insurance coverage:
 - \$1,000,000 Each Occurrence
 - \$2,000,000 General Aggregate
 - \$1,000,000 Personal and Advertising Injury
 - \$1,000,000 Products-Completed Operations Aggregate

**5 points possible*

TAB 2. K-12 School Construction Experience

- Provide a list of all K-12 school related projects completed by the Construction Manager’s Utah office within the past five years along with the dollar value of each of those projects as well as the Owner’s name, Owner’s representative and phone number.

**20 Points Possible*

TAB 3. CM/GC Experience

- Provide a list of all K-12 school projects that were completed by the Construction Manager within Northern Utah during the past ten years using the Construction Manager/General Contractor method.
- Provide a list of all other projects that were completed by the Construction Manager in Northern Utah within the past ten years using the Construction Manager/General Contractor method.
- Indicate track record of completing projects on time and within budget.
- Provide a written statement showing your ability to address and insure the safety of students and staff during construction activities. **10 Points Possible*

TAB 4. Key Personnel

- Provide a description of the qualifications of key personnel, both field and office, that the Construction Manager proposes using for this contract.
- Provide a list of the K-12 CM/GC projects these key personnel were involved with showing specifically what their role was with each project. At a minimum, provide this information for the proposed site superintendent and proposed project manager along with a list of other projects the Construction Manager is currently aware of on which they will be employed concurrently with this project. **5 Points Possible*

TAB 5. Current Workload/Bondability

List of all projects along with their dollar values currently under construction.

- Provide hard copy evidence of bond limits, including all projects and dollar amounts that are currently bonded. **10 Points Possible*

TAB 6. Self Performed Work

- Identify which types of work the Construction Manager may elect to self-perform.
- Provide a list of all field personnel currently employed directly by the Construction Manager that the Construction Manager may use to perform self-performed work, such as carpenters, laborers and other such personnel along with length of time each has been employed by the Construction Manager. **10 Points Possible*

TAB 7. Design Experience

- Provide copies of bid/construction documents prepared in-house by the Construction Manager's personnel without using the services of an independent Design Consulting Firm or independent Design Professional for at least 5 projects that were valued at least \$20,000. **10 Points Possible*

8. Protected Information

All protected information must be included in this section of the proposal response. Do not incorporate protected information throughout the proposal. Even if the RFP proposal contains no protected information, this tab is to be included followed by a page indicating that there is no protected information.

The Government Records Access and Management Act (GRAMA), Utah Code Ann., Subsection 63G-2-305, provides in part that:

“the following records are protected if properly classified by a government entity:

- (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has provided the governmental entity with the information specified in Section 63G-2-309;
- (2) commercial information or nonindividual financial information obtained from a person if:
 - (a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;
 - (b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and
 - (c) the person submitting the information has provided the governmental entity with the information specified in Section 63G-2-309
- (3) records, the disclosure of which would impair governmental procurement proceedings or give an unfair advantage to any person proposing to enter into a contract or agreement with a governmental entity, except, subject to Subsections (1) and (2), that this Subsection (6) does not restrict the right of a person to have access to, after the contract or grant has been awarded and signed by all parties:
 - (a) a bid, proposal, application, or other information submitted to or by a governmental entity in response to:
 - (i) an invitation for bids;
 - (ii) a request for proposals;
 - (iii) a request for quotes;
 - (iv) a grant; or
 - (v) other similar document; or
 - (b) an unsolicited proposal, as defined in Section 63G-6a-712

GRAMA provides that trade secrets, commercial information or non-individual financial information may be protected by submitting a Claim of Business Confidentiality.

To protect information under a Claim of Business Confidentiality, the offeror must: provide a written Claim of Business Confidentiality *at the time the information (proposal) is provided to the district* and include a concise statement of reasons supporting the claim of business confidentiality (Subsection 63G-2-309).

A Claim of Business Confidentiality may be appropriate for information such as client lists and non-public financial statements. Pricing and service elements may not be protected. An entire proposal may not be protected under a Claim of Business Confidentiality. The claim of business confidentiality must be submitted with your proposal on the form which may be accessed at:

<https://solutions.scquest.com/apps/Router/SupplierLogin?CustOrg=StateOfUtah>

An entire proposal cannot be identified as “PROTECTED”, “CONFIDENTIAL” or “PROPRIETARY” and may be considered non-responsive if marked as such.

To ensure the information is protected, you must include all protected information in Tab 8 of the proposal response. Any protected information incorporated in other sections of the proposal response may result in release of data at no fault of the District.

No points will be awarded for this tabbed section but the proposal must contain this tab. If there is no protected information proposer shall include a statement stating that fact.

All materials submitted become the property of Cache County School District. Materials may be evaluated by anyone designated by the District as part of the proposal evaluation committee. Materials submitted may be returned only at the District’s option.

Failure of any Construction Manager to submit any of the above information as set forth may result in the Construction Manager being disqualified.

B. Cost Proposal Format

- The cost proposal is to be submitted on the Cost Proposal Form found on page 10 of this RFP.
- **The cost proposal should be in a separate sealed envelope with the RFP number CCSD-CM/GC-03082024 with “Cost Proposal” clearly printed on the envelope.**

Cost will be evaluated independent from the technical proposal, and as such, is to be submitted separate from the technical proposal. Failure to submit the cost form separately will result in your proposal being determined non-responsive. Inclusion of any cost or pricing data within the technical proposal may also result in your proposal being determined non-responsive.

X. **SUBMITTING YOUR PROPOSAL**

Proposals must be received by March 8, 2024 no later than 2:00pm (mst). Proposals received after the deadline will be late and ineligible for consideration.

The technical proposal shall be five identical hard copies labeled, sealed, and delivered to:

Cache County School District
Attention: Purchasing Department
Solicitation CCSD-CM/GC 05082024
84 East 2400 North, North Logan, UT 84341.

The cost proposal shall be in a separate sealed envelope labeled and delivered to:

Cache County School District
Attention: Purchasing Department
COST PROPOSAL CCSD-CM/GC 05082024
84 East 2400 North, North Logan, UT 84341.

NOTICE: By submitting a proposal in response to this RFP, the offeror is acknowledging that the requirements, scope of work, and the evaluation process, outlined in the RFP are fair, equitable, not unduly restrictive, understood and agreed to. Any exceptions or ambiguities in the content of the RFP must be addressed in writing to the Purchasing Department prior to the closing date and time for submission of the proposal.

XI. **PROPOSAL EVALUATION CRITERIA**

A qualified committee will evaluate proposals against the following weighted criteria. Each area of the evaluation criteria must be addressed in detail in the proposal. All proposals in response to this RFP will be evaluated in a manner consistent with the Utah Procurement Code, rules, policies and the evaluation criteria established in the RFP. The District reserves the right to reject any or all proposals, or to waive any formality in any proposal in the best interest of the District

<u>WEIGHT</u>	<u>EVALUATION CRITERIA</u>
5 points	General Firm Information (<i>tab 1</i>)
20 points	K-12 School Construction Experience (<i>tab 2</i>)
10 points	CM/GC Experience (<i>tab 3</i>)
5 points	Key Personnel (<i>tab 4</i>)
10 points	Current Workload/Bondability (<i>tab 5</i>)
10 points	Self Performed Work (<i>tab 6</i>)

10 points Design Experience (*tab 7*)

30 points Cost

Understandability and comprehensiveness of information supplied in this RFP will affect the evaluation of the above criteria.

XII. **DISCUSSIONS WITH OFFERORS (ORAL PRESENTATION)**

An oral presentation by an offeror to clarify a proposal may be required at the sole discretion of the District. However, the District may award a contract based on the initial proposals received without discussion with the Offeror. If oral presentations are required, they will be scheduled after the submission of proposals. Oral presentations will be made at the offeror's expense.

XIII. **AWARD OF CONTRACT**

Award shall be made to the offeror whose proposal is the most advantageous to the District taking into consideration price and the other evaluation factors set forth in this request for proposals.

The District reserves the right to award the contract(s) to a technically qualified lower cost offeror(s) in the event the high scoring offer is determined to not be the best value offered to the District, based on a cost benefit analysis.

COST PROPOSAL FORM
Cache County School District
RFP CM/GC 03082024

Proposed Fees will be scored in 3 different categories (10 points each) according to project values and will be awarded points based on the following criteria:

Project Value	Contractor Management Fee
\$0-\$10,000.00	_____ % (<i>percentage</i>) 10 points possible
\$10,000.01-\$50,000	_____ % (<i>percentage</i>) 10 points possible
\$50,000.01 and up	_____ % (<i>percentage</i>) 10 points possible

The points to be awarded will be calculated using the following mathematical formula:

$$(10) \times (2 - \text{Proposed Fee} / \text{Lowest Proposed Fee})$$