



REQUEST
FOR
PROPOSAL

Gates Chili Central School District
3 Spartan Way
Rochester, NY 14624

CONSTRUCTION MANAGEMENT SERVICES
March 2021

RFP Receipt Form

Please complete and return this information to the Gates Chili Central School District by mail or email no later than March 25, 2021.

Date: _____

To:

Mitchell J. Ball, ED.D., SFO
Gates Chili Central School District
3 Spartan Way
Rochester, NY 14624
Mitchell_Ball@gateschili.org

We have received your Request for Proposal for Construction Management Services: Gates Chili Administration Building 3 Spartan Way, Rochester, New York 14624.

- () We hope to be able to offer a proposal. Please send us copies of any addenda that may be issued.
- () We regret that we will not be able to offer a proposal at this time. You need not send us copies of any addenda.

Signed: _____
(Signature)

Name: _____
(Please print)

Vendor: _____

Address: _____

Fax: _____

Phone: _____

Email: _____

**GATES CHILI CENTRAL SCHOOL DISTRICT
REQUEST FOR PROPOSALS
CONSTRUCTION MANAGEMENT SERVICES**

The Gates Chili Central School District located at 3 Spartan Way, Rochester, NY requests submissions of proposals to provide Construction Management services in connection with the planning and implementation of the Gates Chili Central School District anticipated \$20,000,000 to \$30,000,000 capital project. The Gates Chili Central School District intends that the Construction Manager (“CM”) chosen shall act as the CM and work with the architect, as appropriate, in planning, preparing for a public referendum, obtaining State Education Department (SED) approval, plan design, all work associated with multiple bids (including pre-bid), construction supervision and close-out of the chosen project(s) which will include both addition and renovation work.

The Gates Chili Central School District contact person for this proposal is Brenda L. Dalton, Clerk of the Works. If you have any questions regarding the Request for Proposals, please submit written questions via email to Brenda L. Dalton at Brenda_Dalton@gateschili.org on or before April 5th, 2021. All questions should cite the particular proposal page number and paragraph number. Prospective vendors should note that all clarification and exceptions including those relating to the terms and conditions of the RFP are to be resolved prior to the submission of a proposal. The Gates Chili Central School District will provide the response to any submitted questions, by e-mail to all parties, who have returned the RFP Receipt Form. Questions received after the date listed above will not be answered. The Gates Chili Central School District will be bound only by responses given by formal written Addenda.

The Architect for the project is to be determined.

The Gates Chili Central School District anticipates selecting a CM by May 18th, 2021.

Proposals should reflect construction management experience in the following categories:

1. Experience in working with architect’s in developing detailed cost estimates (with the first detailed cost estimate based on schematic design promptly following selection, with further detailed cost estimates to be provided upon completion of design development and construction documents phases) and for the preparation of final plans/specifications;
2. Preparation of project and phasing schedules and logistic plans;
3. Assistance with the bidding process and contractor selection;
4. Assistance with contracts and bid award;
5. Construction management services, including but not limited to coordination of the multiple prime contractors and the creation, publication and on-going supervision of

fully integrated construction schedules;

6. Preparation and delivery of monthly status reports to the School District;
7. Project closeout, including assistance with financial requirements, with delivery of indexed contract documents to owner.

The anticipated project schedule indicates the following key milestone dates, but may contain multiple broken out projects within this timeframe:

1. Public referendum - December 7, 2021
2. Submission of project to SED - May 2022
3. Bid/Award Phase - Late 2022 - Early 2023
4. Begin Mobilization and Construction - Early 2023
5. End Construction - Late 2024
6. Project Closeout - Early 2025
7. Eleven-month inspection - Late 2025

QUALIFICATIONS

The minimum qualifications that will be considered by the Gates Chili Central School District as a basis for selection of a construction manager are as follows:

1. Vendors must have a minimum of ten years of experience providing professional construction management services to New York State school districts.
2. Prior experience as a construction manager should include successful or timely completion of at least five projects valued at over \$15 million dollars each of similar size, scope, complexity, schedule constraints, etc.
3. Vendors must demonstrate familiarity with NYS general municipal bidding laws and State Education Department (SED) requirements and other public sector regulations.

Only vendors that meet or exceed the above minimum selection criteria set forth by the Gates Chili Central School District will be seriously considered. The selected CM vendor shall not bid or perform any of the trade construction work.

Joint ventures or teaming arrangements among multiple vendors are not encouraged in this project.

The Gates Chili Central School District reserves the right to amend the RFP at any time. If it becomes necessary to revise any part of the RFP, an addendum will be provided to all prospective applicants who returned the RFP Receipt Form. It is the responsibility of the applicants to ensure that they have responded to all addendums before submission of the RFP.

Any verbal information obtained from or statements made by representatives of Gates Chili Central School District at the time of examination of the documents or site shall not be construed

as, in any way, amending contract documents. Only such corrections or addenda as issued by the Gates Chili Central School District in writing to all vendors shall become a part of the Contract. Any addendum issued during the time of RFP shall be included in the RFP and become a part of the Contract Agreement.

The scope of services that the construction manager is to provide for this project shall be in accordance with the AIA C132–2009, Standard Form of Agreement Between Owner and Construction Manager as Adviser Edition which shall become the basic contract with the Owner subject to minor modifications as needed (Appendix A).

INSTRUCTIONS TO PROPOSERS

1. Inquiries concerning the Request for Proposals and the subject of the Request for Proposals should be submitted to Brenda L. Dalton. Inquiries are not to be directed to any other Gates Chili Central School District official.
2. A site visit has been made available for March 31, 2021 starting at the Gates Chili Central School District Administration Building, 3 Spartan Way, Rochester, New York 14624. Any prospective bidder is welcome to participate in the walk through in order to fully understand the scope of the any and all future district projects.
3. Each proposal is to be submitted in a sealed envelope, plainly marked on the outside as "Proposal for Construction Management Services." Please submit five (5) hard copies of your proposal along with a CD or flash drive containing such proposal.
4. Proposals should be submitted via U.S. mail or hand delivered to the Gates Chili Central School District contact person at the address below:

Mitchell J. Ball Ed.D., SFO
Assistant Superintendent for Business
Gates Chili Central School District
3 Spartan Way
Rochester, New York 14624

5. Proposals must be received on or before 2:00 p.m. EST by Gates Chili Central Administrative Assistant to the ASB on April 15th, 2021. Proposals received after the specified date and time may not be considered at the discretion of the Gates Chili Central School District and if not considered, will not be opened, and will be returned unopened.
6. The Proposal submitted by the individual vendor(s) is the document upon which Gates Chili Central School District will make its initial judgment regarding the vendor's qualifications, understanding of the Gates Chili Central School District scope and objectives, methodology, compliance with terms and conditions, and ability to complete services under the contract.
7. Gates Chili Central School District reserves the right to reject any and all proposals, in whole or in part, submitted in response to its RFP.

8. Submission of any Proposal indicates acceptance of the conditions contained in the RFP and addenda if any, unless clearly and specifically noted otherwise in the Proposal.
9. Gates Chili Central School District reserves the right to waive any and all informalities and to disregard all non-conforming, non-responsive and/or conditional Proposals.
10. The Gates Chili Central School District reserves the right to cancel or amend this RFP at any time and will notify all parties who have returned the RFP Receipt Form.
11. During the evaluation period, applicants may be requested to present supplemental information clarifying their proposal. This information may be requested to be submitted in writing and if this is done, it will be included as a formal part of the applicant's proposal. The Gates Chili Central School District may also invite vendors to an oral presentation to amplify and or validate Proposal contents with an Interview Committee on a date to be determined in late April 2021 or early May 2021.

EVALUATION PROCEDURES

Proposals will be evaluated using the following criteria:

1. Gates Chili Central School District evaluation of the proposal and of the best interests of the Gates Chili Central School District.
2. Gates Chili Central School District evaluation of the vendor's experience and professional record of performance on similar projects
3. Competitiveness of vendor's fees
4. References
5. Completeness, organization, format and overall quality of the vendor's proposal.

During the evaluation process, a "shortlist" of vendors will be requested to make oral presentations to answer any questions the Gates Chili Central School District and the A/E may have. The proposed construction manager will be expected to attend the presentation at a date to be determined.

AWARD OF CONTRACT

The engagement will be awarded to the vendor whose proposal is the most advantageous to the Gates Chili Central School District as determined by the evaluation process. The Gates Chili Central School District reserves the right to reject any and all proposals, to waive any and all informalities and to disregard all non-conforming, non-responsive and/or conditional Proposals, and to request additional information from vendors. The Gates Chili Central School District

reserves the right to accept other than the lowest fee proposal. All applicants will be notified, in writing, of the acceptance or rejection of their proposals.

TERMS AND CONDITIONS

1. The Gates Chili Central School District shall not be responsible for any costs incurred by individuals/vendors in connection with this RFP. Individuals/vendors shall bear all costs associated with submission preparation, submission and attendance at presentation interviews, site visit(s), or any other activity associated with this RFP or otherwise.
2. All proposals should be prepared in accordance with the instructions in this RFP to receive consideration.
3. The contents of the successful vendor's proposal may become part of the contractual obligations if deemed appropriate by the Gates Chili Central School District.
4. All proposals shall be irrevocable for a period of at least sixty days from the proposal deadline date.
5. The Gates Chili Central School District reserves the right to accept or reject any and all proposals as it deems to be in the best interest of the Gates Chili Central School District.
6. The vendor shall include in their proposal a statement that their proposal meets all the provisions of these specifications. If the proposal does not meet the specifications or includes alternatives or variations to the specifications, these differences shall be clearly stated in all respects.
7. Each party hereby agrees to indemnify, defend and hold harmless the other party from all suits, claims and the liability for injury or damage to persons or property resulting from or arising out of any activity conducted by either the respective parties or their agents, employees, invitees or designees except for injuries or damage caused or contributed to by the acts, omissions or gross negligence of the other party.
8. In the event of a breach by Vendor, Vendor shall pay to the Gates Chili Central School District all direct and consequential damages caused by such breach, including, but not limited to, all sums expended by the Gates Chili Central School District to procure a substitute vendor to satisfactorily complete the contract work, together with the Gates Chili Central School District own costs incurred in procuring a substitute vendor.
9. In the event of any discrepancy, disagreement or ambiguity among the documents which comprise this RFP and the vendor's proposal, the documents shall be given preference in the following order to interpret and to resolve such discrepancy, disagreement or ambiguity; 1) the RFP; 2) the Vendor's proposal or bid.

10. By submitting this RFP for consideration, the vendor affirms that they currently have no judgments or other legal findings against the company or any of its executives, with any federal, state or local governmental entities that in any way could impact or have the potential to impact their ability to complete any contract awarded them as a result of this RFP. Failure to disclose any such judgments and/or findings will result in the termination of any and all contracts and assess other penalties as deemed legal and appropriate by the Gates Chili Central School District.
11. Disputes involving this contract including breach or alleged breach thereof, may not be submitted to binding arbitration, but must, instead, be heard in a court of competent jurisdiction of the State of New York.
12. Notwithstanding anything contained herein to the contrary, no default shall be deemed to occur in the event no funds or insufficient funds are appropriated and budgeted by or are otherwise unavailable to the Gates Chili Central School District for payment under this Agreement. The Gates Chili Central School District will immediately notify the Vendor of such occurrence and this Agreement shall terminate on the last day of the fiscal year for which appropriations were received without penalty or expense to the Gates Chili Central School District of any kind whatsoever, except as to those portions herein agreed upon for which funds shall have been appropriated and budgeted.
13. The successful Construction Manager shall not discriminate against any individual, in accordance with applicable federal, state or local laws.

PROPOSAL FORMAT

Each proposal shall include the following:

1. Title page showing the proposal is for Construction Management Services; the vendor's name, contact person's name, address and phone number, and date of proposal.
2. Table of contents.
3. The technical portion shall consist of the following general categories:

A. Company Profile

This section should state the size of the vendor, the type of vendor (i.e., General Contractor/Construction Manager, Architect/Engineer, pure Construction Manager), vendor background and the location of the office from which the work on this project is to be performed.

B. Experience and Qualifications

The proposal should include details of all construction management experience with projects of similar size and complexity to the project described in the RFP

within the past five (5) years, particularly with projects for other school districts completed by your firm. Identify each individual who you plan to use on this project and provide background information and experience for each individual.

Specifically, include the following information about the qualifications of the proposed vendor:

- (1). Knowledge of construction marketplace and experience with major school districts or local projects within the immediate Gates Chili Central School District area.
- (2). Relevant experience with at least five (5) completed school construction projects of similar size and complexity in CM Services or equivalent within the last five (5) years. Include full project costs and descriptions.
- (3). Organizational chart with complete staff names and resumes of personnel who will be assigned to this project. Provide a detailed description of the services the vendor can provide during the various phases of the project and individuals who will be involved. There should be no sub-consultant arrangements. Proposals shall be based upon full-time, on-site supervision of all construction activity.
- (4). Because scheduling and disruptions to class time are of concern, explain how the vendor has been able in the past and how it will on this project, keep on schedule while minimizing school program disruption.
- (5). Outline methods and techniques used in the past to maintain budget and cost containment.
- (6). Experience in representing owners in the analysis and resolution of construction claims.
- (7). Demonstrate examples of knowledge and the use of current technologies in the application of all mechanical disciplines.
- (8). Briefly describe any theories or concepts your organization uses to facilitate the project on behalf of the owner.
- (9). Discuss your approach and procedure regarding change orders.
- (10). Discuss vendor's methods used to communicate with Gates Chili Central School District Administration and Board, Staff, Pupils, Architects and Contractors involved in the project.
- (11). Comment generally on vendor's approach to meeting the Gates Chili Central School District design/construction schedule and the steps that the vendor would take for implementing/enforcing these requirements.

- (12). Provide the volume of construction costs for all school projects the vendor self-performed last year and average size on which your firm was the Construction Manager.
- (13). Provide a concise description of methodology, general design and construction administration concepts and other relevant information for review.
- (14). Other information - present in this portion of the submittal any data or information which the vendor considers pertinent to the selection process. Information should be kept relevant to the project under consideration.
- (15). List your firm's experience on projects with green/sustainable designs and 21st century design.

C. References

A list of references (include name, address and phone number) who may be contacted should be included in the proposal. This list should include past and present clients as outlined in Experience and Qualifications above, including all school districts and/or Gates Chili Central School District where your firm was the Construction Manager of record and the Project Manager noted was actively involved.

D. Insurance

Include an Insurance Certificate in this section to verify that your firm will be able to provide the following limits of liability for insurance during the project:

- (1). Workers' Compensation
 - (a) Statutory coverage
 - (b) Employer's Liability: \$1,000,000
- (2). Comprehensive General Liability (including Premises-Operation, Contractor's Protection, Projects and Completed Operations, Broad Form Property Damage):
 - (a) Bodily Injury:
\$1,000,000 - Each Occurrence
 - (b) \$2,000,000 - Annual Aggregate, Products and Completed Operations
 - (c) Property Damage:
\$2,000,000 - Each Occurrence
\$2,000,000 - Annual Aggregate

- (d) Personal Injury: \$2,000,000 - Annual Aggregate
- (3). Comprehensive Automobile Liability:
 - (a) Bodily Injury:
 - \$1,000,000 - Each Person
 - \$2,000,000 - Each Accident
 - (b) Property Damage: \$3,000,000 - Each Occurrence
- (4). Umbrella Policy with limit of liability of \$3,000,000
- (5). Disability Insurance
 - (a) Statutory coverage

The vendor selected shall provide the Gates Chili Central School District with certificates verifying the existence of the above-referenced policies and limits. Said certificate shall specifically state that the Gates Chili Central School District, its officers, employees and assigns shall be named as additional insured parties.

E. Specific Project Approach and Management Plan

Describe overall philosophy and approach to the scope of work being requested. Specify all deliverables that will be provided to the Gates Chili Central School District in conformance with the requirements of this RFP.

F. Fees

All vendors responding must provide their fee arrangements in the table below:

LINE ITEM	DESCRIPTION	VALUE
Submit a proposed <u>lump sum</u> fee for your Pre-referendum services.		\$
Submit a proposed fee for pre-construction and construction phase services based on a <u>percentage</u> of total construction cost.		%
Define any additional reimbursable costs that you feel will be necessary, but that are not included in your quotation. Identify an approximate value based on construction costs.		\$
Define all components required to be provided within the construction contract allocated to Construction Management Services (Paper, copiers, computers, etc.) and approximate value		\$
Identify a monthly cost for extending construction services beyond the defined timeline and months noted		\$

1. For comparative purposes, assume the total Construction Cost to be \$20 to \$30 Million. The fee shall include all costs associated with your services for this project including salaries, benefits, insurance, travel, overhead and profit. Assume the timeframe for your services to be 66 months.
2. The fee structure must include all costs associated with your services on this project, including staff salaries, benefits, insurance, overhead and profit.
3. Service fees for pre-construction and construction phase services will be broken down into the following groups. Please provide a percentage for each category as defined below:
 - a. Schematic Design _____%
 - b. Design Development _____%
 - c. Construction Documents _____%
 - d. Permitting / SED _____%
 - e. Construction _____%
 - f. Closeout _____%
 - g. Post Construction _____%

Vendors may wish to provide any additional information that will assist the Gates Chili Central School District in the comparison of fees. Vendors shall also note that any and all associated costs, including multipliers, are to be included in the above fee components, so that the fee represents the complete total to be charged to the Gates Chili Central School District.

The Gates Chili Central School District appreciates your time and effort in preparing the RFP for our review.