

HIGHLAND CENTRAL SCHOOL DISTRICT
REQUEST FOR PROPOSAL ("RFP")
FOR CONSTRUCTION MANAGEMENT SERVICES

I. Introduction

The Highland Central School District ("District") invites Construction Management firms to submit proposals to perform construction management services ("CM") for an upcoming District construction project.

It is expected that the selected Construction Management firm will work closely with District Administration and the Board of Education ("Board") and its Consultants and assist the District in the daily coordination and implementation of this construction project from the design phase to project closeout.

The contact person at the District is the Superintendent and /or the Director of Buildings and Grounds, and may be reached at:

Mr. Thomas Bongiovi
Superintendent of Schools
Phone: (845) 691-1010

Mr. Peter Miller
Director of Buildings and Grounds
Phone: (845) 691-1045

II. Description of Project and Procurement and Funding

The District is considering various capital projects including, but not limited to, the following:

1. District Wide
 - i. Rekeying exterior/interior doors and adding access control
2. Elementary School
 - i. Upgrade/replace UVs in original portion of building (1971) ~30 units
 - ii. Evaluate overall heating system and controls to correct recent issues
 - iii. Upgrade perimeter lighting (replace fixtures and controls)
 - iv. Replace fiber data line running between ES and MS (may already be addressed)
3. Middle School
 - i. New generator to power data, phones, cameras, alarm system and kitchen freezer/cooler
 - ii. Upgrade/replace all remaining pneumatic controls (gym, cafeteria, music rooms, locker rooms, etc.)
 - iii. Upgrade emergency lighting
 - iv. Upgrade perimeter lighting (replace fixtures and controls)
 - v. Rehabilitate basketball court

4. High School
 - i. Upgrade/replace HVAC system for Central Administration Offices
 - ii. Upgrade perimeter lighting (replace fixtures and controls)
 - iii. Replace/repair original HVAC dampers (gym, auditorium, cafeteria, kitchen, fresh air intake, weight room)
 - iv. Kalwall replacement in library – replace lighting
 - v. Sewer pump upgrade – MEP support as needed
 - vi. Replace stage curtains
 - vii. Upgrade heat in locker room storage
 - viii. Revise bus loop in front of building
 - ix. Auditorium AV renovation
 - x. Isolate switch rack in boiler room (new walls to make dedicated room with cooling)
5. Bus Garage
 - i. New generator at bus garage to power data, phones, cameras, etc.

III. Proposed Schedule of Work:

The schedule for the design and implementation of the proposed capital projects is proposed as follows:

- November 15, 2018 - SD Submission
- January 4, 2019 - DD Submission
- March 1, 2019 - CD Submission for SED Approval
- March - October 2019 - SED Review and Approval
- November 2019 – Early January 2020 – Public Bid
- Spring 2020 – Start Construction Phase (Sitework)
- June 2020 – Start of Construction (Architectural / MEP Work)
- November 1, 2020 – Project Completion

IV. Scope of Services

The District is seeking the services of a Construction Manager to perform the following services:

The Construction Management firm will be required to provide construction management services for the proposed new construction project(s). The project is subject to public approval. Accordingly, the Construction Management firm shall be required to provide a clear delineation of the fee for the pre-construction period and the construction period so that there is no question as to the Construction Management firm's fee for services provided throughout the design and construction phases.

The scope of services that the Construction Management firm is to provide during the preconstruction and construction phases of this project include, but are not limited to:

A. GENERAL OBLIGATIONS:

1. Make formal presentations to the Superintendent and Board and various groups (including, but not limited to, District administrators, staff, and the general public) as requested.
2. Attend all meetings during the Project with the Board, Superintendent, representatives, Consultants, and/or Contractors.
3. Consult with the District, upon request, for the purpose of reviewing the status of the project and/or projects, and for the purpose of developing strategies necessary to achieve the goals of the District.
4. Provide general administrative management of the project tasks.
5. Provide bookkeeping services that include detailed accounting of all cash flow needs, appropriations and commitments from all funding sources, and the expenditure of funds in accordance with the policies of the Board, the requirements of the District business office, and the regulations of the NYS Education Department.
6. Prepare and update monthly projections of cash flow required to sustain the project and keep it on schedule and to submit those reports to the District Business Manager.
7. Provide cost estimating services, value engineering and constructability analysis.
8. Provide the name and qualifications of the employees of the firm assigned for this project to be submitted to the District for approval and assure that those individuals are knowledgeable about school construction in New York State. The Construction Manager shall be responsible for coordinating all services to be provided for the Project and shall give priority to this Project at all items. The Firm shall not change the person designated and approved without the prior written approval of the District; said approval by the District shall not be unreasonably withheld. If the personnel assigned to the Project do not cooperate fully with the District, the Firm shall replace them at the request of the District.

B. CONSTRUCTION DOCUMENT PHASE

1. Review the approved program and size of the proposed school facility.
2. Compare the proposed facility with the budget available.
3. Establish overall budget for the project based on the approved budget available.
4. Provide “value engineering” services to keep project within budget.

5. Provide cash flow analysis.
6. Establish and maintain a project schedule monthly and to obtain information from each subcontractor, develop a CPM schedule and update it monthly.
7. Work in conjunction with Architect and District's consultants to prepare the "Front End" documents including Bidding Requirements, Information to Bidders, Construction Contract Forms, General and Special Conditions, and General Requirements sections. Prepare detailed construction cost estimates at the end of the Design Development Phase, and at the mid-point and end of the Construction Document Phase.
8. Certify constructability and completion at the end of each design phase, beginning with the schematic design phase.
9. Provide a certification at the completion of the construction documents phase of the contract, that the project is biddable and buildable. The Construction Management firm is encouraged not to provide certification until it is fully satisfied that the construction documents are ready for bid and that the project is biddable and buildable based upon the construction documents provided by the Architect.
10. Provide a cost estimate at the end of the design development phase which may be developed by an area take off while and at the end of each subsequent phase, a cost estimate developed through an actual quality take off.

C. BIDDING PHASE

1. Interface with architect on SED requirements.
2. Coordinate the printing and distribution of "Bidding Documents".
3. Schedule and conduct pre-bid meeting(s) in conjunction with the architect.
4. Interface with the architect to ensure a "Notice to Bidders" legal ad has been provided to the District for publication.
5. Interface with the Architect to ensure notification to the "The Dodge Reports" and other "plan houses" of the project bid.
6. Work in conjunction with the architect to assemble "addenda" information and distribute.
7. Attend bid opening.
8. Tabulate the bids received; review the bids for completeness and accuracy and review with the architect.

9. Assist in evaluation of bids with the District, Architect and the District's consultants to make recommendations on award of contracts. If requested, provide an explanation, in the form set forth by the District, of any difference between the final cost estimate and lowest acceptable bid(s) within five (5) working days of receipt of the request.
10. Work in conjunction with the Architect in the preparation of a letter of recommendation to the District for each Prime Contract.
11. Assist the District in preparing the contracts for the selected bidders.
12. Work with the District to assure conformance of insurance certificates and bonds with the bid requirements.
13. Prepare "Notices of Award" and "Notices to Proceed" letters, ready for the District to process.

D. CONSTRUCTION PHASE

1. In general, the Construction Manager will be responsible for all coordination, oversight, reporting, and day-to-day management of the construction process, prepare construction timelines and the coordination of the individual trades.
2. Conduct weekly meetings attended by the contractor, architect and District representatives.
3. Provide oversight and assurance that the job site is secure, that safety requirements for construction sites are in place and enforced, and the overall safety and security of students and staff has the highest priority, in conformance with S.E.D. RESCUE regulations (physical as well as air and environmental quality assurances).
4. Monitor site cleanliness and, OSHA compliance.
5. Obtain and track all Contractors Insurance Certificates and Bonds for compliance with contract documents.
6. Provide monthly construction and status reports due at the 1st of each month, including updated budgets, schedules, and construction progress to the Board and the Superintendent and/or designee and be prepared to present this information to the Board monthly. The monthly progress report shall be due on the seventh (7th) of the month and shall contain at a minimum:
 - Overview of work accomplished during the previous month.
 - Overview of work to be accomplished the following month.
 - Updated schedule. This shall be based on Contractor's schedule.

- Contractor work progress and completion percentage in a summary form and graphs.
 - Problem areas, if any, with proposed corrective actions.
 - Outstanding issues with deadline to resolve by date.
 - Budget report comparing monthly invoiced amount and cumulative billings with total authorized construction management budget.
 - Pending and approved change orders.
7. Interface with regulatory agencies and provide all reporting to same.
 8. Provide on-site project manager/management team to oversee the construction work to assure compliance with the contract documents, contractor's compliance in obtaining required permits and approvals. Provide prompt notice if contractor is failing to perform as required. The Construction Management firm is expected to provide an active and visible presence in the work area.
 9. Provide interface with the Architect/ Superintendent / Board.
 10. Pre-review and screening of shop drawings and submittals by the prime contractors prior to submission to the Architect. Maintain a log of all submittals.
 11. Maintain schedule activity monitoring and report status to the Superintendent and/or designee.
 12. Maintain a daily log of all significant events, weather conditions, visitors and occurrences at the jobsite; maintain record drawings, photographs, etc. A copy of the daily log shall be submitted to the Superintendent or designee daily.
 13. Coordinate construction activities between contractors to maintain the approved construction schedule.
 14. Provide project closeout for all construction contracts.
 15. Be responsible for taking, preparing and distributing all job meeting minutes. The content and format of job meeting minutes must be acceptable to the District. Minimally, the minutes shall contain a detailed accounting of the topics discussed, the progress of the work and those in attendance.
 16. Procure and submit to the District all O&M Manuals and Dept. of Labor logs.
 17. Maintain "as-built" drawings on an ongoing basis throughout the construction period and prepare electronic copy for submission to the District.
 18. Maintaining a daily log system that records the hours worked by each Contractor and Subcontractor workers and equipment. Detail must be sufficient to permit the review of the Contractor's costs of the work in a manner similar to force account. Equipment must be identified sufficiently to enable determination of the applicable

rental rates and operator's minimum wage. Workers must be identified and their hours worked. The narrative portion of the report shall include a description of the Contractor's operation and location of work and any other pertinent information. A copy of the daily log shall be submitted to the District Superintendent or his designee daily.

19. Enforcing Labor Compliance by preparing daily reports with required information, monitoring Certified Payrolls and doing spot check labor surveys and interviews.
20. Maintaining well organized photographic/video records.
21. Tracking sub-contractors' work. Ensuring contractor submits written request prior to substituting a subcontractor. Maintain subcontractor log; advise the District Superintendent and/or designee and Architect on new or replacement subcontractors proposed by contractor.
22. Review of project environmental documentation to ensure familiarity with all regulatory permits and mitigation measures, if any.
23. Communication with Contractor regarding acceptability of work.
24. Field Inspection, including:
 - Review and inspection of Contractor's work for compliance with Contract Documents daily.
 - Monitoring of corrective actions taken by the Contractor needed to fix work that is not in compliance with Contract Documents.
 - Field inspection diaries to be submitted weekly.
 - Digital photos of work in progress.
 - Quality assurance materials testing services.
 - Review of Contractor's compliance with all regulatory permits and mitigation measures.
 - Review of Contractor's compliance with workplace safety and health standards and notification to the District and Architect of non-compliance.
 - Review and approval of Contractor's survey layouts.
 - Supervising Contractor's staging plans.
 - Ensuring Contractor properly provides for the safety of the workers.

NOTE: It is estimated that full-time field inspection services will be required for all times when there are prime contractors working at the site(s).

25. Assist with any claims against Sureties under the Contractor's bonds, or any liens filed against the project.

26. Review for approval all contractor requests for payments, including compliance with bid documents, insurance and bond requirements, submittals, % of work completed, payroll certification and all documentation to accompany payment. Notify the District and Architect if payment application is modified or rejected and the reasons for such modification or rejection.
26. Substantial and Final Completion services, including:
- Site inspection to determine if facilities are complete and in compliance with Contract Documents.
 - Work with Architect to prepare punch-list and inspection of punch-list corrective actions.
 - Recommendation to the District as to release of payments and retention to Contractor.
 - O & M Manual Submittal Coordination with Contractor.
 - Record Compilation and Submittal, including:
 - 1) Preparation and submittal of a complete set of organized construction contract documentation.
 - 2) Submittal of any record drawings made by Consultant during construction.
 - 3) Obtaining Warranty and Lien Release Information from Contractor.
27. Track all change orders and maintain change order log; provide independent estimates of change orders; negotiate proposed change orders, subject to the District's approval; recommend acceptance/rejection/modification of proposed change orders.
28. Track all Requests for Information ("RFI") and maintain RFI log; recommend answers to RFIs and coordinate receipt of answers to RFIs from other sources.
29. Maintain subcontractor log; advise the District and Architect on new or replacement subcontractors proposed by contractor.

V Contents of the Proposals

The submitted proposals shall adhere to the requirements set forth herein. All questions shall be answered fully, and all requested materials submitted with the Proposal. Proposal submissions should be in strict response to the questions and should not include additional promotional materials.

Deadline for submission of proposals is at **2:00 PM EST on November 15, 2018**. Any proposals received after this deadline will be returned unopened to the firm. Proposals should be returned to the attention of Business Manager, Lissa Jilek, 320 Pancake Hollow Road, Highland, NY 12528. All proposals and accompanying documentation become the property of the District.

Each firm shall submit one original proposal and five (5) copies in an envelope labelled "Proposal for Construction Management Services." If your firm is interested in being considered, please respond using the following outline:

(A) General

- Provide a letter of interest. This should include the firm's name; the name, address and telephone number of a contact person; and, the date of the proposal.
- Provide a copy of your proposed contract and modifications.
- Demonstrate that the Firm has no conflict of interest with the District with regard to any other work performed.
- Provide a general introduction and a background description of your firm.
- List the services your firm provides.
- Demonstrate your experience with construction projects in K-12/educational facilities.
- Demonstrate your experience in working with school districts to develop public information campaigns related to capital projects.
- List your firm's current projects including Owner names and contact information.
- Provide a list of references.
- Explain your insurance coverage.
- Identify any consultant the firm will use during the project and provide information on the consultant's qualifications, background, experience and licensing.
- Provide examples of format for job meeting minutes, inspection and status report.
- Provide a list of municipal projects that the Firm has provided Construction Management service for that resulted in litigation, and the causes of action that were claimed, including the Firms involvement in litigation, whether as a named party, witness or consultant.
- Provide information on each of the criteria the District will utilize in evaluating the proposal.
- Provide a copy of the proposed contract for Construction Management services between the Firm and the District.
- Provide a copy of the proposed contract and modifications to be used for the contractors to the project.
- Provide an itemized cost proposal for the services and hourly wage scale of employees. Services shall not include additional charges for mileage, travel or other expenses. All reimbursable or additional services, if any, shall be compensated at cost. Provide a list of anticipated reimbursable expenses and the rate charged for each.

- State any or all other fees or charges.
- Payment for undisputed Construction Management services shall be made within thirty (30) days of the District's receipt of a properly documented invoice and after audit of the Board. However, late payments shall not incur interest.
- Any services that are required outside the scope of the basic services due to circumstances within the control of its Construction Manager or consultants shall be part of the Basic Services. In addition, the Construction Manager shall not be compensated for additional services that become necessary as a result of the fault or negligence of the Construction Manager, its agents, employees or consultants.

(B) Preconstruction and Construction Management Approach:

Provide a narrative of your firm's management approach and philosophy to the preconstruction and construction services phases of this Project. Please discuss the following items:

- i. Preconstruction:
 1. Design reviews: how they are accomplished and who generates the comments.
 2. Describe your approach and provide one applicable example of value engineering demonstrating how your firm was able to reduce costs while maintaining the integrity of the project design.
 3. Quality assurance and design document management.
 4. Cost estimating approach and reconciliation.
 5. Advisement on building materials, equipment and systems.
 6. Recommendations on constructability of details and systems.
 7. Strategies to minimize adverse effects of labor and materials shortages.
 8. Analysis of time requirements for procurement.
 9. Recommendations on phasing and fast-tracking strategies.
 10. Maintaining design integrity.
 11. What level of personnel commitment to scheduling does your firm provide during construction? Be specific, indicating the number of hours dedicated per week to this project. Indicate whether these will be provided on-site, in the home office, or a combination of both.
 12. Approach to giving guidance to design team on selection of basic materials and systems such as structure, facades, and site utilities. Give example on structural systems' options and preferences regarding cost, performance, constructability, and other aspects you consider important.
 13. Approach to resolving cost, schedule, and design quality issues.
 14. Approach to bid package strategies.
 15. Approach to promote an effective, constructive, decision-making process.
 16. Describe your approach on performing a constructability analysis.
 17. Describe the methods used by your firm to minimize conflicts in the construction documents, including potential design errors and to reduce change orders.

ii. Construction:

1. Scheduling and execution plan.
 - a. What level of personnel commitment to scheduling does your firm provide during construction? Be specific, indicating the number of hours dedicated per week to this project. Indicate whether these services will be provided on-site, in the home office, or a combination of both.
 - b. If a project schedule is very aggressive, indicate potential bid package strategies identifying scopes and timing to meet established schedule.
2. Identify the philosophy and approach to the selection of contractors.
3. Recommendations on pre-ordering long lead items.
4. Phasing plans.
5. Safety plan.
6. Construction traffic management plan.
7. Reporting.
8. Records.
9. Discuss the procedure for update/maintenance of field changes to facilitate production of project record drawings.
10. Commissioning and turnover of equipment and systems.
11. Approach to project savings and contingency and how those funds can be returned to the client.
12. List any construction cost estimating software used, indicating how long your firm has used this software.
13. Provide a brief narrative as to how your firm is able to determine reasonable unit prices for unusual building materials, systems, and forms.
14. Describe the steps that your firm uses to assure quality control during the construction phase of a project.
15. Describe the measures that the Firm implements to monitor compliance with the time schedule and accessibility to school facilities.

(C). Past Performance and Experience:

Identify projects similar in size and scope to the Project; for each project listed the Proposer shall provide the following information:

1. The type of project, price or budget range, name and location.
2. The names, addresses and phone numbers of at least two owner representatives familiar with the Proposer's performance on the budget (may include owners, project managers, architects or engineers).
3. The original bid/proposal price and the final contract price; if the project is on-going, the projected final price shall be provided.
4. The original date for schedule completion and actual completion date; if the project is on-going, the projected final completion date shall be provided.
5. Whether the project resulted in litigation and the claim in litigation.

(D). Fee Proposal:

1. The Firm shall submit a fixed fee of the maximum amount of compensation for the completion of the project, which must include a breakdown of the cost for each phase of the project.
2. The normal hourly rate of each principal and staff member whose resume is provided or whose job category may be required, and the rate used in the proposal.
3. A list of anticipated reimbursable expenses, which shall be billed at cost.
4. Any reduced fees offered to other municipalities, governmental entities, economic development or non-profit organizations, and civic organizations.
5. Any other fees or charges.

NOTE: Although proposed fees will be considered, the District reserves the right to negotiate a lower or different fee structure with any firm that is selected. The District also reserves the right to request the best and final offer fee proposals during the RFP evaluation process.

VI. Criteria for Evaluating RFP's

The RFP's received for Construction Management Services will be evaluated using the following criteria:

A. Evaluation Procedures:

- Experience of the Construction Management Firm, the Principal to be assigned, and/or the Project Manager record (i.e., number of years and number of projects) in dealing with school construction projects of the same or similar scope as the proposed project, along with the size of the firm.
- Fee structure to be charged by the Construction Management Firm.
- Total years in business and financial stability of the firm.
- Accuracy of estimating costs for previous school construction projects.
- Timeliness in completing previous school construction projects.
- How well the firm's representatives presented themselves to District officials.
- Communication techniques.
- Field visits to completed school construction projects.
- Recommendations from previous School District clients.
- Extent of services offered.
- The Firm has no conflict of interest with regard to any other work performed by the Firm for the District.

- Provisions for Handling Disputes.
- The proposed agreement between the Firm and the District if the Firm were to be hired to provide Construction Management Services.

B. Interviews:

The Board will invite those firms considered to be most qualified to the District for an interview. During the interview candidates should be prepared to discuss the Project and the Construction Management Services to be provided, including the proposed modifications to the AIA contract, and answer any questions the Board may have.

C. Final Selection:

The Board will make the final selection and reserves the right to accept or reject any or all proposals or any parts of proposals.

VII. Additional Terms and Conditions:

1. The project outlined in this proposal shall be awarded by the District.
2. The District is not liable for costs incurred in the preparation or submittal of this proposal and any other subsequent proposals or presentations.
3. The District reserves the right without limitation to: (a) accept or reject any or all proposals; (b) modify and re-issue the RFP; (c) be considered to be in the best interest of the District; (d) verify any information provided during the RFP process, including contacting references.
4. The successful Construction Management Firm shall not discriminate against any individual in accordance with applicable federal, state or local laws.
5. The contracts entered into as a result of this Request for Proposal, shall be between the selected Firm and the District.
6. For contract purposes the District anticipates using the most current AIA contract which shall be modified by the District for construction management services. This document is to be used as a guide for defining services to be provided by the Construction Management Firm.
7. Any clauses for arbitration and mediation as a means for dispute resolution shall be replaced with: "Claims, disputes, or other matters in question between the parties to this Agreement arising out of or relating to this Agreement or breach thereof shall be subject and decided by the laws of the State of New York, and any such claims, or causes of action arising out of or in connection with this Agreement shall be commenced in a competent Court with jurisdiction for Ulster County, New York."

8. The contents of the Proposal prepared by the successful firm, with any amendments approved by the District, will become a part of the agreement signed as a result of this RFP process. The terms outlined throughout this RFP should be considered all-inclusive.
9. The selected firm will be required to among other things:
 - Work with District staff and its consultants to provide CM services to the District project.
 - Maintain accurate accounting records and other evidence pertaining to costs incurred in providing services, and, on District request, to make such records available to the District at all reasonable times during the contract period and for six (6) years after the date of the final payment to the firm under the contract.
10. The selected firm will be required to procure insurance as recommended by the District's insurance carrier. Such insurance must be procured from a company or companies lawfully authorized to do business in New York State. All insurance policies procured by the selected firm shall name the District as an additional insured, and the selected firm shall be required provide the District with a certificate of insurance prior to commencing services.

VIII. Addendum and Interpretation:

The District shall not be responsible for nor be bound by any oral instructions or interpretations or explanations issued by the District or its representatives. Should discrepancies or omissions be found in this RFP or should there be a need to clarify the RFP, you may request clarification in writing by email to:

Mr. Thomas Bongiovi
Superintendent of Schools
TBongiovi@highland-k12.org

OR

Mr. Peter Miller
Director of Buildings and Grounds
PMiller@highland-k12.org

Such request for clarification shall be received by the District at least five (5) business days prior to the proposal due date. Any response to a request for clarification will be made in the form of an addendum to this RFP and will be sent to all parties to whom this RFP has been issued prior to the proposal due date. All addenda shall become part of this RFP and receipt of each addendum shall be acknowledged and signed in the format submitted by the District and attached as an exhibit to the form Proposal.