



BRANDYWINE SCHOOL DISTRICT

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Below are the questions that were submitted for BSD18010-CMSERVICES for Professional Construction Management at Claymont Elementary School, Brandywine School District over the past few days. The answers are provided as well.

Section Number II, Scope of Services
Page Number 1
Text of Passage "... The total budget for the project \$26,482,926 and the project duration will most likely be 2 years".

Question: This contradicts Section 3, General Information, Item a on Page 13 and Appendix B, Scope of Work, Schedule. In order for there to be parity between proposers, please provide a specific duration that CM services will be required for by phase of work. Typically we would see a Pre-construction Phase with a duration and a specific scope of work for the CM in that phase. Then we would see a Construction Phase with a duration and a specific scope of work for the CM in that phase. Lastly, we would see a Post-construction Phase with a duration and a specific scope of work for the CM in that phase. There is no real duration for us to base our fee on.

Answer: The State RFP document is a State Boiler Plate Document that we are required to use. The purpose of an RFP is To select the best firm based on demonstrated ability. Once a firm is selected then the agency (the District) would Negotiate the details of a contract. Durations and scope of work will be negotiated.

Section Number II, Scope of Services
Page Number 1
Text of Passage The District wishes to retain the services of a Construction Management Firm to coordinate the construction activities of this project".

Question: What specific tasks are your looking for us to perform as the CM during each phase of the construction process? Normally there would be a list of tasks for each phase of construction (Pre-construction, Construction, & Post-construction) that are what the District/State expects the CM to perform. Please accurately identify the Scope of Services for the CM, whether you are requiring estimates to be done by CM, and if formal schedules to be prepared by the CM. If estimates and schedules are required, how many do you want of each?

Answer: The drawings are roughly 80% complete. Our budget is based on an estimate we performed two years ago. We will require the CM to perform one estimate based on the progress to date. As stated scope of service will be negotiated.

Section Number 3, General Information, Item b
Page Number 13
Text of Passage "The selected vendor will be required to enter into a written agreement with the State of Delaware".

Question: Please provide a copy of the agreement that the CM will be expected to execute for review in conjunction with the RFP.

Answer: The document used for a State CM Contract is the most recent AIA Document CMA.

Section Number 7, General Contract Terms, Item d
Page Number 16
Text of Passage "... The cost of permits and any other relevant costs required in the performance of the contract shall be borne by the successful vendor".

Question: This is not applicable to the CM. The contractors are required to pull the permits since they are actually performing the work on the project and the CM only has an oversight role. Please verify if we are to pull permits or in this is to be deleted from the CM scope.

Answer: Permit cost and other cost are paid to the CM by the District as a reimbursable.

Section Number 7, General Contract Terms, Item j Warranty
Page Number 19
Text of Passage "The Vendor will provide a warranty that the deliverables provided pursuant to the contract will function as designed ..."

Question: This is not applicable to the CM. The contractors performing the work are required to provide all warranties for the products they are installing and for the workmanship. Please advise.

Answer: It is the CM's job to manage the trade contractors and to make sure the owner (the District) receives warranties for materials and proper warranties from the various trade contractors.

Section Number 7, General Contract Terms, Item k Costs & Payment Schedules
Page Number 19
Text of Passage "The State of Delaware will require a payment schedule based on defined and measurable milestones".

Question: The CM typically bills for services rendered on a monthly basis to the client and not based on a milestone schedule which is more suited for a contractor based on percentage of completion of work. Please advise?

Answer: Monthly billing is typical.

Section Number 7, General Contract Terms, Item l Penalties
Page Number 19
Text of Passage "The State of Delaware may include in the final contract penalty provisions for non-performance, such as liquidated damages".

Question: This is not applicable to the CM. LD's are assessed against the contractors for failure to complete based on a contractual duration. The CM can attempt to keep the contractors on schedule and document issues so the District can pursue LD's, but at the end of the day, there is no controlling the contractors pace of work. If this is a provision for the CM, this language needs to identify what the LD's will be and the basis for assessing them in the contract. Please provide a copy of the contract with this language if it applies to the CM.

Answer: As stated earlier, the purpose of the RFP is to select the best firm based on the criteria established in the RFP. The details of the contract will be negotiated.

Section Number 7, General Contract Terms, Item v Drug Testing Requirements for Large Public Works
Page Number 23
Text of Passage "... OMB has established regulations that require Contractors and Subcontractors to implement a program of mandatory drug testing for Employees..."

Question: Does this apply to the CM and its' Subconsultants, or was this just meant for the Contractors and Subcontractors performing the work, please advise?

Answer: The CM is to ensure that all Trade contractors are knowledgeable of this State law and that the State Language is included in all bidding documents and contracts.

Section Number 7, General Contract Terms, Item ee Other General Conditions Items 1, 2, 3, 6 & 11
Page Number 25
Text of Passage Items 1, 2, 3, 6 & 11

Question: These do not seem to apply to the CM, please advise.

Answer: This section is basically stating that the State has the authority to audit records.

Section Number Appendix A Scope of Work Section 1
Page Number 39
Text of Passage this section references pre-construction and construction management services throughout the project.

Question: What specific tasks are your looking for us to perform as the CM during each phase of the construction process? Normally there would be a list of tasks for each phase of construction (Pre-construction, Construction, & Post-construction) that are what the District/State expects the CM to perform. Please accurately identify the Scope of Services for the CM, whether you are requiring estimates to be done by CM, and if formal schedules to be prepared by the CM. If estimates and schedules are required, how many do you want of each?

Answer: This question is for the CM's to include in their proposals. The number of estimates and schedules is to be negotiated but the services to be provided by phase are to be proposed by the CM's in this RFP. Appendix A, Minimum Mandatory Submission Requirements.

Section Number Appendix B Scope of Work Section 1
Page Number 43
Text of Passage Scope of Work & Technical Requirements

Question: this narrative is really geared to give the CM an understanding of the scope of work we will manage for the project and not what the District/State expect the CM to perform. Please clearly identify the scope of work you want the CM to perform to include estimates, schedules and any testing that may be required so that we can accurately identify a cost. Also, what is the level of coverage the District/State expects from the CM, fulltime, part-time, # of Construction Managers you want onsite, etc. so that the CM firms can prepare an accurate proposal

Answer: A description of the project has been given by the District. It is the responsibility of the firms responding to the RFP to demonstrate and Identify what is required by the CM to successfully complete this project.

Section Number
Page Number
Text of Passage

Question: Will the District/State issue a Price proposal page for this submission? What type of fee are you looking for, lump sum, T&M, monthly, do you also want hours rates?

Answer: Fees and cost are not included in this RFP. We are to negotiate with the highest rated firm.

Section Number
Page Number
Text of Passage

Question: I'm following up on the Construction Management Services project and was wondering if there were any union requirements to bid on this project as well as if there was an estimated project value available? Any information you could help me with would be greatly appreciated.

Answer: All the requirements and the estimate are in the RFP.

Section number: N/A
Paragraph number: N/A
Page number: N/A

Text of passage being questioned: In order to manage the construction projects the Construction Manager would typically have personnel at the work site while the work is being performed. Please advise if space would be made available inside the school for an on-site office for the CM firm's use. If not, please advise if space would be made available on the property for an office trailer.

Answer: We have an adjacent building (roughly 6,000sqft which will be made available for CM staff and contractor storage/offices.

Section number: Appendix A
Paragraph number: 2
Page number: 39

Text of passage being questioned: The requirements indicate that a copy of the electronic price file shall be a separate file from all other files on the electronic copy. Please confirm if the price should be included or not in each of the eight paper copies as there is no similar requirement for it to be separate

Answer: There is no requirement for submitting pricing at this time.

Section number: Appendix A, Section 2-1

Paragraph number: 1

Page number: 39

Text of passage being questioned: The RFP requests us to provide a completed AIA Document A305 – Contractor’s Qualification Statement – 1986 Edition. Will this form be provided?

Answer: This form is available online.

Section number: Appendix A, Section 2-5

Paragraph number: 1

Page number: 40

Text of passage being questioned: Section 2-5, Experience: For firm and key personnel experience in the renovations of school and academic facilities and the construction of new academic facilities, does this experience have to be limited to single school projects or can it be a program with multiple school projects over a scheduled length of time? For example, will it be acceptable to provide the requested information for one program that included two new schools and renovations of three existing schools. Please clarify for Top 10 and Top 5 experience requests. We have provided a description of our project.

Answer: List your relevant experience in a way that most closely resembles our project.

Section number: F: Attachments / Appendix A

Paragraph number: 1 – First bullet / First paragraph

Page number: 27 / 42

Text of passage being questioned: The first bullet on page 40 says that attachments 2,3,4,5 and 9 are required. Is attachment 5 the reference form that should be used under Section 2-10 “References” in our submittal or is this an additional reference page to be included with other attachments at the end of our document?

Answer: This RFP document is one that was provided by the State of Delaware that we are required to use. We just need to be able to find your references in the submission. If you use attachment 5 then identify this in your RFP submission as “see attachment 5”.