

**Construction Management Services – Delmar School District
RFP No. DSD16001-CONSTR_MAN**

The Delmar School District (DSD) is seeking the professional services of a Construction Management (CM) firm for the proposed \$4,103,900 Delmar School District Renovations and Additions Project.

Interested parties are asked to submit a formal proposal to Jan Steele, Delmar School District, 200 N 8th Street, Delmar, DE 19940 by 3:00 p.m. on Friday September 11, 2015. Please submit one (1) original and five (5) copies of your proposal. Respondent bears the risk of late delivery. Any proposals received after the stated time will be returned unopened. The Delmar School District reserves the right to accept or reject any or all proposals and waive any requirements of this RFP.

A. Introduction

DSD is currently planning for a \$4,103,900 renovation project to the Delmar Middle and High School including, but not limited to, the following: roof replacement, exterior coating replacement, ADA functionality renovations, student waiting area enhancements and construction of an athletic locker room facility. The proposed date for beginning the project is September 2015 with a projected completion date of September 2017. The timeline is subject to change based on the recommendation of the CM.

The DSD intends to hire a Construction Management firm to assist in the administration of the proposed project. The CM will work in conjunction with the Architect and DSD from the design period through construction to completion of the project. The CM shall also assist the DSD with the preparation of the selection criteria for the Architect, coordinate the interview process and assist in tabulating the data for the selection committee's use for awarding an architectural contract. The CM shall assist the DSD in the preparation of a formal A/E Contract. The involvement in the architect selection process shall be in a supportive capacity only as all final decisions shall rest with the DSD.

The DSD is interested in obtaining proposals from Construction Management firms experienced in public work for the State of Delaware.

B. Scope of Services

The Construction Management firm selected shall provide DSD with the following:

1. Basic services during the pre-construction phase including, but not limited to, review if design(s) during their development making relevant recommendations in the best interest of the DSD, preparation of a detailed estimate of construction cost, development of a construction schedule, assistance in preparation of bid packages, conducting pre-bid meetings and general assistance in the administration of the construction contract(s), and interfacing with the architect as necessary. The CM will work closely with the Architect

during the bidding process and include the Architect in all correspondence and in the entire procurement process. If prequalification or subcontractors is required, the submission, review and decision will be presented to DSD for final approval. It is the intent of DSD to have an open and transparent process for procurement and will require the Architect to formalize a statement of compliance of the process, including requalification. It shall be required that all sub-contracts be bid in compliance with all state public bid laws as enumerated in Delaware Code.

2. Basic services during the construction phase including, but not limited to, cooperation with Architect, coordination of the contractors with the various phases of the project, conducting pre-construction and progress meetings, receiving and reviewing shop drawings and related submittal before forwarding to the architect, assuring compliance with contract drawings and specifications, maintaining current cost data and reporting to the District on a regular basis in order to maintain accountability for project cost, maintain and update the current project schedule, assisting in the processing of requests for payment, recording the daily progress of the project and maintaining an accurate set of “as-built” drawings.

C. General Information

1. **Revision and /or addendum to the Request for Proposals.** In the event it becomes necessary to revise and/or add addendum to any part of the request for proposals, revisions and/or addendum will be provided to all firms listed as accepted CM firms and will be published on bids.delaware.gov.
2. **Acceptance of proposal Contents.** The contents of the proposal submitted by the successful firm will become a part of any contract awarded as a result of these specifications.
3. **Responsibilities.** The selected firm will be required to assume sole responsibility for the complete effort as required by the request. The selected firm will be considered the sole point of contact by DSD regarding contractual matters.
4. **Rejection of Proposals.** The DSD reserves the right to waive any informality in proposals received and to accept or reject any or all proposals. DSD shall have the authority to award contracts to the firm best meeting specifications and conditions and experience.
5. **Government Regulations.** The successful firm shall strictly comply with all state and county laws and city ordinances and regulations in any manner affecting the delivery of the project completed. The firm shall comply with appropriate Delaware law to conduct business in the State of Delaware.

D. Proposal Requirements

Information to be provided by the CM about the firm.

1. Firm History

- a. Name of Firm
- b. Location of principal and branch offices
- c. Length of time in business
- d. Firm ownership structure

2. Personnel

- a. List total number of firm's personnel, other than secretarial/clerical, by professional or skill group (i.e. architects, electrical engineers, mechanical engineers, cost estimators, etc.)

3. Experience

- a. List only construction management projects, which you have constructed during the past five years. The following information is requested on each completed project:
 - 1) Project name and owner
 - 2) Year completed
 - 3) Type of project (new, renovation, addition, replacement)
 - 4) Construction cost
 - 5) Architect's name
- b. List current construction management projects
 - 1) Project name and owner
 - 2) Year completed
 - 3) Type of project (new, renovation, addition, replacement)
 - 4) Construction cost
 - 5) Architect's name
- c. List State of Delaware school projects completed in the last 5 years in which you have served as CM
 - 1) Project name and owner
 - 2) Year completed
 - 3) Type of project (new, renovation, addition, replacement)
 - 4) Construction cost
 - 5) Architect's name

4. Project Staffing

Please identify your company's proposed management staff for the project. Provide an Organizational Chart identifying all of your key staff members and showing how each interacts with the other staff members assigned to this project. For each key staff member, please include a detailed resume which summarizes:

- a. Education, including name of institution, field of study, degree(s) earned and year(s) received.
- b. Professional registration(s) and/or professional society membership(s)
- c. Construction experience
- d. Construction management project experience

5. Services

- a. Describe your scope of preconstruction phase services and how they are provided with specific attention to the first budget estimate, methods of cost control, scheduling, value engineering and the method of reporting project status and schedule position.
- b. Describe your scope of construction phase services and detail how they are to be provided.
- c. Describe your firm's method of working with the project architects/engineers, consultants and other planning team members.
- d. Describe your firm's method of coordinating the efforts of the various trade contractors.

6. Basis of Compensation

- a. Describe in detail the basis of your construction management fees including a listing of sample general conditions, and reimbursable expenses. List all project management personnel that will be required to complete the CM Services. Monetary amounts are not required.
- b. In addition, list overhead and profit percentages that will be used for change orders, general condition items and other reimbursable expenses.

7. Litigation

- a. Describe the status of any legal claims pending or asserted within the last three years.

8. Financial Ability

- a. Provide a copy of your last three (3) audited annual financial statements.
- b. Provide a statement from your surety company describing your financial ability to be bonded.

9. Approach to the project

- a. Outline the overall technical approach to complete the project.

10. References

- a. The DSD may wish to contact any current reference listed in the experience section of the proposal.

Appendix

- a. Any supplemental information may be submitted as an appendix.

E. Procedure for Evaluation of Applicants

1. After the receipt of the responses to the request for proposal, the selection committee will review the credentials of all firms and score each proposal based upon the evaluation of the ten proposal requirements listed in Section D of this RFP (with a scoring rubric of 10 points for each of the 10 items in Section D for a maximum total score of 100). Firms deemed best qualified, based upon the selection committee's evaluation, may be selected for an interview.
2. Selected firm(s) may be asked to make presentations to and may be interviewed by a committee which will evaluate, select and recommend the firms deemed best qualified to undertake projects of this size and scope, based on the previously stated evaluation criteria. Key staff members, in addition to principals, will be expected to participate in the interview.
3. The District will negotiate with the selected firm at compensations the District determines to be fair and reasonable. If negotiations with the selected firm cannot be consummated to the satisfaction of the District, then the firm will be so notified in writing, and negotiations may be initiated with other firms recommended by the committee in order of their proposal ranking. The Delmar School District reserves the right to accept or reject any or all proposals and waive any requirements of this RFP.

MANDATORY INSURANCE REQUIREMENTS

As a part of the contract requirements, the contractor must obtain at its own cost and expense and keep in force and effect during the term of the contract, including all extensions, the minimum coverage limits specified below with a carrier satisfactory to the State. All contractors must carry the following coverage depending on the type of service or product being delivered.

- a. Commercial General Liability - \$1,000,000 per person/\$3,000,000 per occurrence and one of the following:
 - 1) Professional Liability - \$1,000,000 per person/\$3,000,000 per occurrence
 - 2) Miscellaneous Errors and Omissions - \$1,000,000 per person/\$3,000,000 per occurrence
 - 3) Product Liability - \$1,000,000 per person/\$3,000,000 per occurrence

- b. Automotive Liability Insurance covering all automotive units used in the work with limits of not less than \$100,000 each person/\$300,000 each accident as to bodily injury and \$25,000 as to property damage to others.
- c. The vendor shall maintain such insurance as will protect against claims under Worker's Compensation Act and from any other claims for damages for personal injury, including death, which may arise from operations under this contract. The vendor is an independent contractor and is not an employee of the State of Delaware.

Before any work is done with the State, a Certificate of Insurance referencing the name and contract number stated herein, shall be filed with the State. The certificate holder is as follows:

State of Delaware
Delmar School District
200 N 8th Street
Delmar, DE 19940

Note: The State of Delaware shall not be named as an additional insured.

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

STATE OF DELAWARE BUSINESS LICENSE

Prior to receiving an award, the successful Vendor shall either furnish the Agency with proof of State of Delaware Business License or initiate the process of application where required. An application may be requested in writing to: Division of Revenue, Carvel State Building, P.O. Box 8750, 820 N. French Street, Wilmington, DE 19899 or by telephone to the following number: 302-577-8778. The website address is:

<http://revenue.delaware.gov/services/BusServices.shtml>

Information regarding the award of this contract will be given to the Division of Revenue. Failure to comply with the State of Delaware licensing requirements may subject your organization to applicable fines and/or interest penalties.

INDEMNIFICATION

- a. General Indemnification: By submitting a proposal, the proposing vendor agrees that in the event it is awarded a contract, it will indemnify and otherwise hold harmless the State of Delaware, its agents and employees from any and all liability, suits, actions, or claims, together with all costs, expenses for attorney's fees, arising out of the vendor's, its agents and employees' performance work or services in connection with the contract, regardless of whether such suits, actions, claims or liabilities are based upon acts or failures to act attributable, in whole or part, to the State, its employees or agents.

- b. **Proprietary Rights Indemnification:** Vendor shall warrant that all elements of its solution, including all equipment, software, documentation, services and deliverables, do not and will not infringe upon or violate any patent, copyright, trade secret or other proprietary rights of any third party. In the event of any claim, suit or action by any third party against the State of Delaware, the State of Delaware shall promptly notify the vendor in writing and vendor shall defend such claim, suit or action at the vendor's expense, and vendor shall indemnify the State of Delaware against any loss, limitation, litigation costs, lost employee time, and counsel (fees) whether or not such claim, suit or action is successful.

If any equipment, software, services (including methods) products or other intellectual property used or furnished by the vendor (collectively "Products") is or in vendor's reasonable judgment is likely to be, held to constitute an infringing product, vendor shall at its expense and option either:

1. Procure the right for the State of Delaware to continue using the Product(s);
2. Replace the product with a non-infringing equivalent that satisfies all the requirements of the contract; or
3. Modify the Product(s) to make it or them non-infringing, provided that the modification does not materially alter the functionality or efficiency of the product or cause the Product(s) to a degree that the State of Delaware agrees to and accepts in writing.

PUBLIC NOTICE

Public Notice is hereby given that the Delmar School District is seeking to engage the services of a Construction Management (CM) firm for the \$4,103,900 Delmar School District Renovations and Additions Project (RFP DSD16001-CONSTR_MAN). The selected CM will provide pre-construction phase services, including estimates; manage the bidding and oversee the construction phases. The Delmar School District intends to have the firm provide these services under the CM project delivery method. As such, the CM will act as Delmar School District's prime construction manager. CM Services for this project will be in accordance with the following projected timeline: September 1, 2015 begin planning with construction through calendar year 2016 and 2017 with a projected completion date of September 1, 2017. The timeline is subject to change based on the recommendation of the CM. Interested firms may obtain the requirements for submitting their proposals and the selection criteria from Jan Steele, Delmar School District, 200 N 8th Street, Delmar, DE 19940 or at jan.steele@delmar.k12.de.us (302-846-9544 X 177).

Submittals will be accepted until 3:00 p.m. on Friday, September 11, 2015 and must be addressed to Jan Steele, Delmar School District, 200 N. 8th Street, Delmar, DE 19940. Please provide one (1) original and five (5) copies of your proposal. Respondent bears the risk of late delivery. Any proposals received after the stated time will be returned unopened. The Delmar School District reserves the right to accept or reject any or all proposals and waive any requirements of this RFP.