

**POCANTICO HILLS CENTRAL SCHOOL DISTRICT
REQUEST FOR PROPOSAL
CONSTRUCTION MANAGEMENT SERVICES**

I. PURPOSE

- A. This Request for Proposals (“RFP”) is designed to comply with General Municipal Law §104-b requiring the use of a competitive RFP process to select the professional services of a construction management firm.
- B. The Pocantico Hills Central School District, hereinafter referred to as the “District” invites Requests for Proposals from experienced and qualified construction management firms (“Firms”) to provide construction management services for the District in conjunction with upcoming capital projects in accordance with the scope as indicated below.

II. PROPOSAL REQUIREMENTS

- A. Firms may submit a proposal by **Tuesday, December 19, 2017 at 11 o'clock AM.** Proposals shall be sent to:

Pocantico Hills Central School District
599 Bedford Rd
Sleepy Hollow, NY 10591
Attention: Marianne Heslin

Proposals received after this date and time will be returned unopened to the Firm.

- B. Proposals should be submitted in a sealed opaque envelope and clearly marked “REQUEST FOR PROPOSAL: CONSTRUCTION MANAGER”.
- C. You must submit six (6) copies of your proposal.
- D. RFPs shall be concise and include the complete submission of the items required in Sections VI and VII.
- E. Incomplete submissions may not be considered for award.

III. BACKGROUND

- A. The Pocantico Hills Central School District invites construction management firms to submit proposals to perform construction management services for various capital improvement projects in the District. The District has retained the firm of H2M architects + engineers to provide architectural and engineering services for the various projects.
- B. The anticipated scope of work for the successful construction management firm includes, but is not limited to, the following projects throughout the Pocantico Hills Central School District:
 - 1. Resurface/repair roadways, parking lots, sidewalks, stairs, walls, etc.
 - 2. Replace athletic fields and tennis courts
 - 3. Provide new hardware for interior doors and replace spline ceilings
 - 4. Provide air conditioning to classrooms and gymnasium
 - 5. Complete various site improvements, to be determined

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- C. The total estimated project scope is between \$4,000,000 and \$10,000,000, including all construction costs and incidental expenses.
- D. Key project schedule dates are as follows:
 - 1. Public Referendum: October 2018
 - 2. Design Phase: November 2018 – June 2019
 - 3. SED review and approval/completion of Design: July 2019 – December 2019
 - 4. Bid and contract award period: January 2020
 - 5. Construction Phase: May 2020 – September 2021

IV. SCOPE

The scope of services that the construction manager will be expected to provide shall include, but not be limited to, the following:

A. Pre-construction

- 1. Work with Architect and District to prepare project General/Supplementary Conditions tailored for each project scope of work and consult with the District's attorney for compliance with front end requirements.
- 2. Provide independent project cost estimates based upon current construction costs, which may include actual bids received for similar scope and size of work, submitted at the completion of the following phases:
 - i. Schematic
 - ii. Design Development
 - iii. Construction Documents/Pre-bid
- 3. Assist in the development of construction-phasing schedule to be included in contract documents.
- 4. Review construction documents and provide recommendations (possible value engineering depending on the District budget) prior to establishing bid date.
- 5. Provide recommendations and package the documents into possible sub-divisions by prime contract category to be included in the contract documents.

B. Construction Phase and Closeout

- 1. Provide start-up assistance.
- 2. Notify Architect of any deviation from contract documents.
- 3. Coordinate all utility interruptions with the District.
- 4. On-site, continuous day-to-day inspection and supervision of all work in process including second shift, holiday and weekend work.
- 5. Ensure that contractors follow all applicable Laws, Statutes, Codes and Regulations during construction and maintain required exit pathways.
- 6. Coordinate all site stored material locations and contractor staging.
- 7. Coordination of all contractors' activities.
- 8. Act as liaison between contractors, and the District and their designated representatives.

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9. Monitor the quality of the work and verify compliance with plans and specifications. Identify poor quality and non-conforming work for correction by contractors.
10. To the extent feasible, prevent unauthorized visitors from entering the site.
11. Review of contractor safety procedures on an on-going basis.
12. Solicit, review and approve construction schedules.
13. Review and validate any time and material work.
14. Review and process contractor payment applications prior to approval by the Architect, and maintain a log of all payments for all trades.
15. Review contractor change order requests and proposals and make recommendations to the Board of Education and Architect.
16. Monitor construction schedules and initiate corrective actions with contractors to remain on schedule.
17. Prepare and maintain a master project schedule to be updated weekly.
18. Log, monitor and review all requests for information (RFIs).
19. Maintain a daily log of activities on the jobsite.
20. Coordinate and monitor all required site and material testing during construction.
21. Notify Architect in advance of, and coordinate required construction and testing observations to be witnessed by Architect or Engineers.
22. Conduct weekly contractor site job meetings, including the preparation of meeting minutes and distribution to all parties.
23. Attend required meetings with the District and Architect.
24. Prepare and present progress reports to the Board of Education.
25. Maintain documentation and photographs of project progress.
26. Monitor and coordinate the progress of all project record drawings and initiate corrective actions with contractors to keep record drawings current.
27. Maintain a file of all project documentation to be given to District at project completion.
28. Coordinate building occupancies and construction phasing to comply with the needs of the Board of Education.
29. Coordinate punch list inspections and verify execution of punch list items, with final acceptance and sign off indicating compliance with the construction documents.

C. The Architect has been retained to provide the following services:

1. Collect all bonds and insurance certificates from contractors and forward copies to the District.
2. Review and approve shop drawings and submittals.
3. Maintain a log of all proposal requests and contractor proposals.
4. Prepare all contracts and change orders.
5. Conduct periodic site visits.
6. Assist the District in monitoring the project budget and expenses.
7. Collect and distribute all project closeout documentation.
8. Process applications for payment from contractors.
9. Prepare all Certificates of Substantial Completion and Occupancy Certifications.

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V. TERM OF CONTRACT

The contract period shall be for a period of time commencing with the award of the RFP to the completion of the projects included in Section III, Paragraph B. The District shall have the option, in its sole discretion, to renew this contract at the same terms and conditions included in this RFP for additional capital projects that may be approved. The Board reserves its right, at any time, to cancel such contract for any reason in accordance with the provisions of Section IX.

VI. MANAGEMENT & QUALIFICATIONS

Only firms that meet or exceed the qualifications listed below will be considered.

- A. Responding firms must have a minimum of five years' experience providing professional construction management services as described in the RFP.
- B. Firms' prior experience as a construction manager should include at least five completed projects. Firms must demonstrate prior experience as a construction manager for School Districts, including experience working with and meeting the requirements of the New York State Education Department. Prior experience as a construction manager on school district projects will be a major consideration.
- C. State the name(s) of the officer(s) and associate(s) in the firm. Clearly identify the project team and their responsibilities, including resumes of the team and of the project manager to be assigned to the District. If at the time of completing this RFP an individual has not been assigned, the Firm shall provide the resumes of all possible candidates from which the District and Architect shall make a final selection.
- D. Identify the nature of any potential conflict of interest the firm or any individual in the firm might have in providing these services to the District.
- E. List your firm's current projects including name, contract amounts and completion dates.
- F. Describe your financial position and staff capability.
- G. Explain your management plan and how you will staff the project.
- H. Please provide details regarding your understanding of the scope of services required and the approach your firm would use to achieve the school district's objectives.
- I. Explain how the firm will keep the project on schedule, and how the firm plans to coordinate and phase the work so as to minimize disruption to the District's operations.
- J. Outline methods and techniques used in the past by the firm to contain and reduce project costs.
- K. Provide three (3) references for similar projects in New York school districts where your firm was the project manager of record. Please list the architectural or

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engineering firms firm worked with and the representative of the school district for the references provided.

L. The selected firm shall not bid or perform any of the trade construction work.

VII. FEES

The District requests that fees be based on a total fixed sum or percentage of the final construction cost, which shall be adjusted accordingly for both increases and decreases in the scope of work. Allowances shall not be incorporated into final construction cost. Proposals submitted with a fee plus services or an hourly/daily basis will be awarded minimal points in the proposal evaluation process. Fees should be all inclusive of transportation, insurance, meals, etc.

VIII. INTERVIEW

The selection process will include an interview(s) with any combination of the Assistant Superintendent for Business and Operations, Superintendent of Schools, District Architect and the Board of Education, or their designees. The potential timeframe for interviews, which may include evening interviews, is detailed in Section XI. Firms should be prepared to be interviewed at any point during this period. Advance notice will be given to the firm of the selected date and time.

IX. TERMINATION OF CONTRACT

Any contract agreed to under this Request for Proposal is subject to termination by either party, for any reason, upon thirty (30) days written notice to the other party. In the event of termination of the contract, the District's responsibility shall be limited to payment for services performed until the date of termination.

X. RIGHTS

The Board of Education reserves the right to:

- A. Request additional information from any firm who submitted a valid proposal.
- B. Negotiate with one or more of the finalists, the fees and terms of the engagement.
- C. Reject, without prejudice and for any reason, any and all RFPs or any parts of any proposals.
- D. Reject staff assigned who the District believes does not have the appropriate experience or qualifications to perform the construction management services.
- E. Select the individual or firm that, in its opinion, best meets the District's needs. This is not necessarily the firm whose fees are the lowest.

XI. TIMELINE

The proposed timeline for review of the RFP and selection of a firm is as follows:

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- Distribution of RFP: November 2017
- RFPs Due to the District: December 19, 2017
- Evaluation of RFPs: January 2018
- Interviews: January 2018
- Final Selection: February 2018

XII. CRITERIA FOR SELECTION

RFPs will be evaluated using the following criteria (total 100 points available):

- | | |
|---|-------------------|
| A. Meets minimum qualifications in Section VI | Maximum 35 Points |
| B. Fees | Maximum 50 Points |
| C. References | Maximum 15 Points |

XIII. INDEMNIFICATION

The successful firm shall defend, indemnify and save harmless the District, its employees and agents, from and against all claims, damages, losses and expenses (including without limitations, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the successful Proposer its employees, or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

XIV. INSURANCE REQUIREMENTS

If this RFP results in a contract between the District and the firm, the firm will be **required** to agree to the terms below and provide evidence of minimum insurance of the types and the amounts listed.

- A. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the consultant hereby agrees to effectuate the naming of the district as an additional insured on the consultant's insurance policies, with the exception of workers' compensation, N.Y. State disability and professional liability. If the policy is written on a claims-made basis, the retroactive date must precede the date of the contract
- B. The policy naming the district as an additional insured shall indemnify the district for any applicable deductibles and self-insured retentions.
- C. Required Insurance (minimum):
 - 1. **Commercial General Liability Insurance**
 - a. \$1,000,000 per occurrence/ \$2,000,000 aggregate.
 - 2. **Workers' Compensation and N.Y.S. Disability**

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- a. Statutory Workers' Compensation, Employers' Liability and N.Y.S. Disability Benefits Insurance for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable.
- b. A self-employed person and certain partners and corporate officers are excluded from the definition of "employee" pursuant to Workers' Compensation Law Section 2 (4). As such, individuals in such capacity are excluded from Workers' Compensation Law coverage requirements. A person seeking an exemption must file a CE-200 form with the state. The form may be completed and submitted online: http://www.wcb.state.ny.us/content/ebiz/wc_db_exemptions/requestExemptionOverview.jsp

3. Professional Errors and Omissions Insurance

- a. \$2,000,000 per occurrence/ \$2,000,000 aggregate for the professional acts of the firm performed under the contract for the district. If written on a "claims-made" basis, the retroactive date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for two years following the completion of work.

4. Excess Insurance

- a. \$1,000,000 each occurrence and aggregate. Excess coverage shall be on a follow-form basis

- D. Firm acknowledges that failure to obtain and maintain such insurance on behalf of the district constitutes a material breach of contract. The firm must provide the district with a certificate of insurance, evidencing the above requirements have been met, prior to the award of the contract.. The failure of the district to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the district.
- E. The district is a member/owner of the NY Schools Insurance Reciprocal (NYSIR). The firm further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the district but also the NYSIR, as the district's insurer.

XV. INQUIRIES

All inquiries regarding this RFP should be directed to:

Mrs. Marianne Heslin
Assistant Superintendent for Business and Operations
599 Bedford Rd
Sleepy Hollow, NY 10591
914-631-2440 x 711
mheslin@pocanticohills.org