

REQUEST FOR PROPOSALS (RFP)

RFP – Facility Construction

For the Charter School Kairos Academy

Charter School Building Tenant Remodel Kairos Academy (High School)

This RFP is Being Issued by:

Kairos Academy Charter School, a 501(c)(3) Utah non-profit corporation ("Kairos Academy")
(1325 West 2200 South Suite A, West Valley City, UT)

DATE OF RFP ISSUE: July 1, 2014

- Closing Date for Submission and Receipt: July 15, 2014 no later than 5:00 p.m. local time. Proposals must be received by this time.
- A. Proposals are to be submitted in electronic form to Misty Maki, Kairos Academy Charter School's Building Officer, via email at the address below.

Contact Name: Misty Maki
Website: www.kairosacademy.org
Email: info@kairosacademy.org

All questions should be submitted through a formal RFI and sent to the contact email.

ALL GENERAL CONTRACTORS SHOULD READ THIS ENTIRE RFP CAREFULLY.

The Owner assumes no responsibility or liability for any costs incurred by any contractor associated with this RFP whether or not such contractor submits a proposal in response to this RFP. The Owner intends to award a construction contract to the General Contractor submitting a thoroughly responsive Proposal to this RFP and that presents the best overall value to the Owner based on the Owner's evaluation of the Proposal. The Owner reserves the right in its sole discretion and judgment to make one or more awards under this RFP, to reject all Proposals received and/or to make no award whatsoever under this RFP.

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1. General

A. Purpose

The purpose of this proposal is to renovate and existing facility to establish "E and I-4" occupancy. The specific terms outlined in this RFP must be met. The proposal must include set line-item allowances for all aspects of construction including demolition, rough and finish plumbing, framing, finish work, electrical, etc. Architect has been selected by the School, via a public SOIQ bid, and will serve as the architect on the project. It is expected that the Builder will work with that Architect in completion of their contract.

B. Project Description

The anticipated occupancy of the project will be approximately 200 students in grades 9-12. This will require demolition of the existing space's walls & finishes. The project will also include the tenant improvements of classrooms, offices, restrooms, a kitchen, and childcare rooms.

C. Key Dates

The tentative Schedule for the High School Construction Project is as follows:

- i. RFP Issuance Date: July 1, 2014
- ii. Construction Documents Available to Contractors: July 1, 2014
- iii. Mandatory Pre-Bid meeting : July 8, 2014
- iv. Deadline for RFI's or Substitution Requests: July 10, 2014
- v. Proposals in response to RFP due: July 15, 2014
- vi. Board Meeting to make contractor selection: July 16, 2014
- vii. Execution of Construction Contract: July 17, 2014
- viii. Start of Construction: July 18, 2014
- ix. Certificate of Occupancy and Substantial Completion: August 18, 2014

2. Background

- A. History** - Kairos Academy provides pregnant and parenting teens with the opportunity to attend and complete their high school education in a supportive academic environment that is tailored to meet their specific needs. Early and Late Start school schedules, a blended (online and traditional) instructional model, high quality child care, parenting supports, and collaborations with community partners to provide medical and counselling services to students and their families.

3. Service Requirements

A. Minimum Requirements for Responding Contractors

In order to be considered a responsive proposal, contractors responding to this RFP must at a minimum meet the following requirements and provide adequate information that they and their firm have the following qualifications:

- i. Demonstrated experience with educational facilities of a similar type, size, and complexity to that of this project for the Property.
- ii. Have completed at least 2 new construction projects within Utah within the past five (5) years
- iii. Ability to provide 100% performance and payment bonds for the project, if required.
- iv. References submitted on at least three (3) projects of similar size and complexity completed within the past five years, of which at least one shall have been completed by the Project Manager and Superintendent recommended for this project.
- v. Willingness to enter into a GMP contract based on AIA Documents A102 and A201 - 2007 editions.
- vi. To be selected for the Interview process, a prospective General Contractor responding to this RFP must not have had, within the past ten years: (i) any suspension, debarment or other action under which the General Contractor was found to have been disqualified from the bidding process for any public or private contract or from working on any public or private project; (ii) any default or termination under a contract or other agreement, bankruptcy, receivership or insolvency proceeding or other proceeding, action or matter which precluded the contractor from full performance of its contractual or other legal obligations.

B. Additional Expectations

- i. It is expected that Kairos Academy Building Officer will be consistently and reasonably available to the selected Builder during the construction process for technical advisement and value engineering analysis. Kairos Academy anticipates the Builder, Architect and Building Officer will meet weekly to facilitate the coordinated construction of the school from the time of delivery of contract to completion.
- ii. It is expected that bidders will hold appropriate and current state licensure to engage in the business of commercial construction, before, during and for a period of at least three years after completion of this project.
- iii. It is expected that bidders utilizing subcontractors will ensure that the selected subcontractors will hold appropriate and current state licensure to engage in the business of commercial construction during the project.
- iv. It is expected that all bidders be able to secure a bonding letter specific to the project stating that they can bond this project up to \$250,000.
- v. It is expected that the project will be completed as quickly as possible. In order for the school to be able to open for this school year. In order to ensure that the contractor completes the work in a timely manner the contract may require the contractor pay liquidated damages if the project exceeds the time indicated in the contractor's proposed schedule.
- vi. It is expected that all bidders on this project attend a pre-bid meeting. To be held at the site (1325 West 2200 South West Valley City, UT) on July 8th at 8:00 AM. This meeting will be mandatory for all those who wish to submit a

proposal on this project. It is expected that the bidders will examine the construction documents prior to the meeting so that any questions may be resolved.

- vii. It is expected that all bidders have adequate financing to fund their business and construction obligations during the project. As such, Kairos Academy will require each Builder/Financier group to submit financial statements or other specific evidence of ability to finance as part of their bid. (This information will be discussed by Kairos Academy Charter Board only in closed session and will be kept confidential to the extent of applicable law.)
- viii. It is expected that the winning bidder will meet all legal requirements of charter school or school construction in the State of Utah and will comply with all applicable building codes, statutes and rules governing charter school or school construction.
- ix. It is expected that the winning bidder will coordinate with the Building Officer in the finalization of all appropriate approvals, permits (Kairos Academy Building Officer has already begun this process).
- x. It is expected that bidders will have knowledge of and comply with construction reporting requirements for public schools in Utah.
- xi. It is expected that the winning bidder will provide Kairos Academy's Building Officer with the necessary reporting information, including Construction Inspection Reports on a timely basis throughout building process.
- xii. It is expected that the winning bidder will comply with all applicable federal statutes and Americans with Disabilities Act (ADA) regulations in association with the design and construction of the charter school building.
- xiii. Kairos Academy requests that bidder document their pay request process
- xiv. Kairos Academy will request that the selected contractor provide a list of qualified subcontractors to be reviewed and approved by Building Officer prior to finalizing subcontractor submission and contracts. Kairos Academy will review this submission in a timely manner and will not unreasonably withhold approval of any subcontractors chosen by the contractor.
- xv. It is expected that Builder will comply with the requirements of the Utah Procurement Code including:
 - 1. Documentation of subcontractor bid for any items over \$5000
 - 2. Verification of bids provided to Kairos Academy Procurement Officer

C. Pricing Proposal

All bidders must submit a detailed proposal of a build price. Proposals must include a total cost with supporting line-item budgets (allotments) of the turn-key project. Included in that proposal should be line-items for the following:

- i. Demolition
- ii. Rough Plumbing
- iii. Finish Plumbing
- iv. Framing
- v. Wall Board
- vi. Finishes
- vii. Electrical
- viii. Mechanical
- ix. Automatic Sprinkling System
- x. Millwork
- xi. Lay In Ceiling Tile
- xii. Specifics costs on materials to be incorporated into school
- xiii. General conditions costs
- xiv. Change order mark-up percentages to be applied (and standard AIA change order form to be used)

4. Proposal Submission Requirements

Listed below are the proposal submission items required for consideration to be selected by the Owner as the General Contractor for this project. Most specific submission requirements will be rated by the Owner and its professionals. Failure to provide any of the requested information will affect the rating the contractor's submission receives, and in the cases where minimum requirements are set forth, failure to submit the required information may disqualify a firm from further consideration. General criteria used to judge each submission item are described under evaluation criteria. Contractors are requested to respond directly and separately to each item. The Owner reserves the right to waive any requirement or criterion/criteria, at its sole discretion, for any or all firms who are being considered under this RFP.

A. General Introduction

Provide a simple, concise description of your company. Your company description should not be more than two typewritten pages. It may be supplemented by brochures. Your firm description should at a minimum identify the following:

- i. Legal business name, address, contact person name, phone number.
- ii. Number of Years in business.
- iii. Brief overview of staff.

B. General Firm Experience

Provide a brief description of at least three projects similar in size and complexity to the project described in this RFP that were successfully completed by your firm in the capacity as General Contractor within the last five years.

Your descriptions of the three projects should each include:

- i. Functional use.
- ii. Gross square footage/brief description of project.
- iii. Original contract value and final contract amount.
- iv. Project owner's name, address and current phone number.
- v. Project architect's/engineer's name and address and current phone number.

- vi. Approximate start and substantial completion dates.
- vii. Construction project manager and superintendent.

C. Successful Project Completion

If your firm has not completed any project during the last five years on or before the scheduled completion date, please provide the following information for each such project:

- i. Project name and owner.
- ii. Location of project.
- iii. Type of project.
- iv. Dollar value of project.
- v. Start date of project.
- vi. Original contract completion date.
- vii. Final completion date.
- viii. Name and contact information of owner or owner's representative.
- ix. Name and contact information of architect/engineer.
- x. Narrative explaining the specific circumstances.
- xi. Narrative explaining in detail how your firm was able to mitigate the hardship created for the owner as a result of the late completion date.
- xii. Indication of whether liquidated damages were assessed and the details relating to the assessment of damages.

If not already provided above, please indicate the number and dollar amounts of any and all delay claims, liens, or court or arbitration judgments for and against your firm within the last five years.

For all projects completed within the last five years, where applicable, please identify separately the circumstances surrounding any projects as to which bonuses were awarded to your firm or which your firm received on account of early completion.

D. Bonding Capacity and Insurance

Please submit evidence from, or attested by, your bonding company that verifies that your firm will have bonding capacity, assuming that if this project is awarded to your firm, a cost not to exceed \$ 250,000 is added to your current and anticipated workload. One hundred percent (100%) Performance and Payment Bonds will be required if your firm is awarded the contract.

E. Financial Condition

Please provide certification that your firm is clear of any Federal, State or Local Tax liens is required.

F. Qualifications of Key Personnel

Please provide information concerning the key personnel listed below that you propose and intend to be responsible for this project. If more than one person is proposed to be responsible for this project, provide information on each.

- i. Project Manager - resume, description of relevant experience (list of projects of similar size, type and systems) and references (with current phone numbers) outside of your company, to verify experience. Will this person be available on an uninterrupted basis through to the completion of the project?
- ii. Project Superintendent - resume, description of relevant experience and references (with current phone numbers) outside of your company, to verify experience. Will this person be available on an uninterrupted basis through to completion of the project?

Schedule Control

- i. Please describe in general your firm's schedule management system.
- ii. Please provide a sample of an updated progress schedule by the proposed project manager/superintendent from a previous similar project that is one of the projects you described in Section E2 (General Firm Experience) above.

G. Safety Record

Have any citations been issued to or against your firm during the last five years for workplace safety law violations? If yes, please provide detailed information for each such occurrence regarding: (i) the nature of the violation for which your firm was cited; (ii) a summary of your position on the matter; and (iii) a description of the official resolution or disposition of the asserted violation.

H. Current Workload/Capacity to Complete this Project

- i. Please provide us with a list of your firm's current projects, the dollar volume by project, and the anticipated completion dates of all such current projects.
- ii. If your firm's current workload differs significantly (+/-25%) from any period over the last five years, please indicate the following for the largest amount of work that your firm is undertaking at any one time: (1) the total number of projects; (2) the total dollar amount of all projects; and (3) how the staffing/capacity of your firm has been adjusted to handle such change in workload.
- iii. Please provide us with an estimate of your anticipated largest dollar volume of work in process if this project is added to your current and anticipated volume.

I. Project Management

Please describe your proposed project management system for this project. Please include as a minimum a description of the following topics:

- i. General organization and responsibilities
- ii. Staffing roles and commitment of key personnel
- iii. Resources including a description of trades provided internally by your organization
- iv. Plan for management and control of subcontractors
- v. Reporting systems to Owner and Architect
- vi. General communications systems
- vii. Actual progress tracking system
- viii. System for resolving issues and problems
- ix. Change order management
- x. Cost control and tracking system
- xi. Quality control system
- xii. Project Closeout procedures

- J. Proposed Construction Schedule for Kairos Academy. This project is time sensitive and will require the construction to be completed quickly. Proposals must include a proposed construction schedule which the contractor will be willing to agree to complete the project by or risk incurring liquidated damages.

K. Pricing - GMP bid

Please provide your proposed pricing and GMP bid expressed as a total sum. Please also list your proposed exclusions and alternatives from the GMP bid.

5. RFP Conditions

A. Process

General contractor firms submitting proposals in response to this RFP will be evaluated by the Owner both in terms of general qualifications and also as to the specific terms of their proposals. The evaluation will be based on the information provided in the firm's submission as well as any other information the Owner obtains concerning the firm's past performance. Interviews may be required to assist the Owner in its evaluation. The Owner reserves the right to interview one or more firms responding to this RFP but there can be no assurance that any firm will be selected to be interviewed. The Owner may determine to interview one or more firms, or no firms, in its sole discretion. The Owner may choose to use any information available to it to make its determinations under this RFP, including the selection of the firm to which an award is made. Firms which have submitted incomplete proposals or information may be provided an opportunity to correct any deficiencies, but the Owner will be under no obligation whatsoever to provide such opportunities. The Owner may notify such contractor in writing indicating the specific items which need to be addressed in order for the Owner to consider the proposal from such applicant. Submissions that are incomplete, or that omit or materially misrepresent any portion of the requested information, may be excluded from consideration in the sole discretion of the Owner.

B. Evaluation Criteria

Evaluation criteria for this RFP include the following:

- i. General experience and competence.
- ii. Past performance with regard to schedules, cost control, quality, and responsiveness to owners.
- iii. Compatibility of firm's size, location, personnel, and experience.
- iv. The firm's quality management delivery system for successful completion of this project at a high level of quality.
- v. Safety record of the firm.
- vi. The firm's financial status.
- vii. The current workload/capacity of the firm to complete this project.
- viii. Price-GMP bid.
- ix. Construction Schedule.
- x. Such other evaluation criteria as the Owner may determine.

C. Submission of Proposals

In order to be evaluated, firms responding to this RFP are requested to submit an electronic copy of their Proposal by e-mail to:

Contact Name:	Misty Maki
Website:	www.kairosacademy.org
Email:	info@kairosacademy.org

All questions should be submitted through a formal RFI and sent to the contact email.

D. Acceptance of Proposal

- i. Bids will be reviewed in a public meeting after the due date and time with the name of the bidder announced and recorded in the meeting minutes.
- ii. Bid will be awarded to the firm whose proposal is determined to be the most advantageous to Kairos Academy after consideration of all criteria.
- iii. The winning bidder will receive the award in writing.
- iv. Kairos Academy reserves the right to reject any or all proposals or to waive any formality or technicality in the best interest of Charter School Charter School.

E. Proposal Revisions

Proposal revisions must be received prior to the RFP submission closing date and time.

F. Disclosure

All proposals and other information submitted in response to this RFP will be kept strictly confidential and will not be released or used by the Owner for any other purpose, except as may be required by law. All proposals and accompanying materials submitted in response to this RFP will be retained by the Owner and will not be returned, other than financial statements that may be returned to proposing firms as described above.