

DOCUMENT 00200

REQUEST FOR PROPOSAL

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT
DESIGN/BUILD SERVICES FOR
ATHLETIC FACILITIES IMPROVEMENTS**

Proposals are requested for a Design/Build contract, or work described in general, as follows:

1. **RECEIPT OF PROPOSALS.** Sealed Proposals will be Swinerton Management and Consulting at their offices located at 1700 W. Hillsdale Blvd., Building 6, San Mateo, California, 94402 on **Thursday, January 8, 2003**. Proposals shall be due by 2:00 p.m., with Proposals for Alternates due by 4:00 p.m., as determined by the time clock located in their offices. Swinerton Management and Consulting's representative will call out the designated time, stating that the period for accepting Proposals is closed. Swinerton Management and Consulting will reject all Proposals received after the specified time and will return such Proposals to those submitting proposals unopened. Design-build entities must submit Proposals in accordance with this Document.

2. **CONTACT INFORMATION.**

Mailing and street address of Program Manager's main office:

Swinerton Management & Consulting, Inc.
College of San Mateo
1700 W. Hillsdale Blvd., Building 6
San Mateo, CA 94402

Project Representative: John Baker, Swinerton Management and Consulting Inc.
(415) 710-8059
bakerj@smccd.net

3. **DETERMINATION OF BEST VALUE.** District will select the proposal for the Athletic Facilities Improvements Project submitted by the Design Build Entity that the District determines will provide the Best Value to the District.

4. **SCOPE OF THE PROJECT:** The District is inviting design-build proposals from the following prequalified design-build entities:

Hunt Construction Group Inc.
Robert A. Bothman, Inc.

for the design and construction of its Athletic Facilities Improvements Project. The Project includes the design and construction of improvements to athletic fields and ancillary facilities at Cañada College, the College of San Mateo and Skyline College.

The District will enter into a contract for design and construction services with the Design-Build Entity that can clearly demonstrate the Best Value to the District. The contract amount for this commission will be as submitted in Document 00410 – Proposal Form.

Sections 01010 and 01011, Summary of Work and Summary of Work - Design Services set forth more completely the Project information necessary to describe the District's requirements.

5. **REQUIRED SECURITY.** Design-Build Entities must submit with their Proposals cash, a certified check or cashier's check from a responsible bank in the United States, or a corporate surety bond furnished by a surety authorized to do surety business in the State of California, of not less than ten percent (10%) of the aggregate amount of the Base Proposal plus additive alternates, payable to "San Mateo County Community College District". District will provide the required form of corporate surety bond, Document 00411 Bond Accompanying Proposal. District will reject as non-responsive any Proposal submitted without the necessary security. As soon as practicable after determination of the "best value" proposal, District may elect to return to the unsuccessful Design-Build Entities all securities and bonds. District may elect to retain only the securities and bonds of the apparent best Proposal until award of the Contract to the successful Design-Build Entity, at which time District shall return securities and bonds to the second design-build entity. District will return the security and bond of the successful Design-Build Entity after execution of the contract and deposit of all necessary bonds and other items.
6. **REQUIRED SUBCONTRACTORS LIST FORM.** A subcontractor listing is not required at the time of the submittal of proposals, but will be required prior to the issuance of a Notice to Proceed for Construction. The successful Design-Build Entity must submit prior to the issuance of Notice to Proceed with Construction the names of all subcontractors and their respective Proposal item work on Document 00430 Subcontractors List Form for those subcontractors who will perform any portion of work, including labor, design, rendering of service, or specially fabricating and installing a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in excess of one half of one percent (0.5%) of the total Proposal amount.
7. **REQUIRED NON-COLLUSION AFFIDAVIT.** Design-Build Entities must submit with their Proposal Document 00481 Non-collusion Affidavit. District may reject as non-responsive any Proposal submitted without the Non-collusion Affidavit. No Design-Build Entity may make or file or be interested in more than one Proposal for the same supplies, services or both.
8. **REQUIRED CERTIFICATIONS.** Design-Build Entities must submit with their Proposal Document 00482 Certifications. District will reject as non-responsive any Proposal submitted without the Certifications.
9. **PRE-PROPOSAL CONFERENCES.** District will conduct a mandatory Pre-Proposal Conference at the Swinerton Management & Consulting Conference Room, at the College of San Mateo, at the following time:
 - 1:00 p.m. Tuesday, December 2, 2003Interested parties are advised to arrive early to the offices of Swinerton Management & Consulting, 1700 W. Hillsdale Blvd., Building 6, San Mateo, California in order to obtain parking passes. In addition, the District will schedule up to two, 2-hour, confidential meetings with each Design-Build Entity during the proposal development period. These meetings are confidential, and are elective. The Design-Build Entity may elect to not attend any of these confidential meetings. Every attempt will be made to preserve the confidentiality of the integrity of each proposal, along with any competitive advantage(s). However, the District will transmit to all competing Design-Build Entities any Addenda as District in its discretion considers necessary in response to questions arising at the Pre-Proposal Conference or from these confidential meetings. Design-Build Entities shall not rely upon oral statements; oral statements shall not be binding or legally effective.
10. **OTHER REQUIREMENTS PRIOR TO SUBMITTAL OF A PROPOSAL.** Submission of a Proposal signifies the Design Build Entity's careful examination of Proposal Documents and complete understanding of the nature, extent and location of Work to be performed. Design-Build Entities must complete the tasks listed in Document 00520 Agreement, Article 5, as a condition to the submittal of a proposal, and submission of a Proposal shall constitute the Design Build Entity's express representation to District that the Design-Build Entity has fully completed these tasks.
11. **EXISTING CONDITIONS AND RELATED DATA.** Design-Build Entities may examine any available existing conditions information by giving District reasonable advance notice. Document 00320 Existing Conditions and Geotechnical Data applies to all supplied existing drawings and geotechnical reports, and all other information supplied regarding existing conditions above ground or below ground.

12. **ADDENDA.** Design-Build Entities must direct to the District's Program Manager all questions about the meaning or intent of the Proposal Documents. Design-Build Entities must submit their questions in writing. District will issue by formal written Addenda interpretations or clarifications it considers necessary in response to such questions. District will send by certified mail Addenda to the Design-Build Entities. District may not respond to questions received less than seven (7) days before the date for the submittal of Proposals. Only questions answered by formal written Addenda shall be binding. Oral and other interpretations or clarifications will be without legal effect.
- a. If District deems advisable, District may also issue Addenda to modify the Proposal Documents.
 - b. Addenda shall be acknowledged on the Proposal Form by number and shall be part of the Contract Documents. Design-Build Entities may obtain a complete listing of Addenda from District.
13. **SUBSTITUTIONS.** Design-Build Entities must base their Proposals on products and systems specified in the Request for Proposal or listed by name in Addenda.
- a. Addenda shall list substitutions, if any, approved prior to due date for Proposals.
 - b. Design-Build Entities may submit requests for substitution after Notice of Award in accordance with requirements specified in Document 00700 General Conditions and Specification Sections 1330 Submittals and 1600 Product Requirements. Submittals of substitutions shall contain sufficient information to assess acceptability of product or system. Insufficient information shall be grounds for rejection of substitution. District may consider specifications final upon issuance of Notice to Proceed with Design, however, and will consider substitutions following award in its sole discretion.
14. **WAGE RATES.** Design-Build Entities are required to comply with all applicable prevailing wage requirements and/or regulations. Copies of the general prevailing rates of per diem wages for each craft, classification, or type of worker needed to execute the Contract, as determined by Director of the State of California Department of Industrial Relations, are on file at District's Offices and are deemed included in the Request for Proposal. Upon request, District will make available copies to any interested party.
15. **PROPOSAL SUBMISSION.** Each Design-Build Entity shall submit its Proposal containing the items listed in this Section 15. The Proposals are to be delivered to District at the address indicated in Paragraph 1, above. All Proposal envelopes and packages shall be wrapped and marked as follows:

PROPOSAL FOR San Mateo County Community College District Athletic Facilities Improvements

The Proposal must contain the following, fully executed documents:

- 1) Document 00410 (Proposal Form) including Owner's Alternates.

- 2) CSI summary breakdown of pricing as follows:
 - A. Div 1 General Requirements
 - B. Div 2 Sitework:
 - Section 02512 Tennis Court Surfacing
 - Section 02540 Infill Synthetic Turf
 - Section 02542 Track Surfacing
 - Section 02545 Baseball and Softball Surfacing
 - Section 02830 Chain Link Fencing
 - Section 02870 Athletic Site Furnishing
 - Section 02871 Track and Field Furnishing
 - Section 02900 Natural Turf Athletic Field Areas
 - C. Div 3-4 Concrete, Masonry
 - D. Div 5-10 Metals, Wood & Plastics, Thermal & Moisture Protection, Doors & Windows, Finishes, Specialties
 - E. Div 11-12 Equipment, Furnishings
 - F. Div 13 Special Construction
 - G. Div 14 Conveying Systems
 - H. Div 15 Mechanical
 - I. Div 16 Electrical
- 3) Cash, cashier's check, certified check, or corporate surety bond of not less than 10% of the amount Proposal, including additive alternates. Design-Build Entity and its surety must execute Document 00411 Bond Accompanying Proposal if submitted.
- 4) Document 00481 Non-collusion Affidavit, subscribed and sworn before a notary public.
- 5) Document 00482 Certifications, signed and completed as indicated therein.
- 6) Outline Specifications for CSI Divisions 2-17 stating related Unifomat Section(s).
- 7) Revised Scope Drawings illustrating revisions included in the Proposal. Additional drawings shall include floor plans, exterior elevations, and schematic wall sections for all structures.
- 8) An individual Design/Construction schedule for each of the three campuses, indicating key milestones: Design, District/Agency approvals, construction periods/durations, anticipated phasing if any. Schedule must comply with Schedule Constraint Requirements in **Section 00520 Exhibit A**.
- 9) Construction logistics plan indicating locations proposed for trailers, fences, etc. and proposed staffing and resumes.
- 10) Voluntary Alternate Proposals are highly encouraged.
- 11) Unique approach to safety programs involving subcontractors.
- 12) Present plan to assure availability of skilled work force.

Proposals shall be deemed to include any written responses of a Design-Build Entity to any questions or requests for information of District made as part of the Proposal evaluation process after submission of the Proposal.

16. EVALUATION. District may reject any and all proposals and waive any informalities or minor irregularities in the Proposals. District also reserves the right, in its discretion, to reject any or all Proposals and to re-issue the Project. District reserves the right to reject any or all nonconforming, non-responsive, unbalanced or conditional Proposals and to reject the Proposal of any Design-Build Entity if District believes that it would not be in the best

interest of Project to make an award to that Design-Build Entity, whether because the Proposal is not responsive or the Design-Build Entity is unqualified or of doubtful financial ability or fails to meet any other pertinent standard or criteria established by District. District also reserves the right to waive informalities, inconsequential deviations or minor irregularities not involving price, time or changes in the Work, to the fullest extent permitted by law. For purposes of this paragraph, an "unbalanced Proposal" is one having nominal prices for some work items and enhanced prices for other work items.

17. DETERMINATION OF BEST VALUE. If the contract is to be awarded, District will award the contract to the responsive Design-Build Entity whose proposal is determined in writing to provide the Best Value to the District. District shall provide its written decision and award within sixty (60) calendar days of Proposal opening or such longer period as may be specified in the resolution calling for Proposals on the Project. District's written decision shall support the award of the Contract by stating in detail the basis of the award. District will deliver the Notice of Award Document 00510 as provided herein. Best Value will be determined as the best score for the lowest price.

a. The District will evaluate each proposal based upon Price and the following Selection Criteria:

1. Compliance with the intent of the Scope Drawings
2. Compliance with the Performance Specifications
3. Compliance with requirements of the Design Parameters (Section 01010)
4. Compliance with the project's technical equipment, systems and material selections with life cycles exceeding 15 years.
5. Strength of Individual Team Members Proposed.
6. Safety Record of DBE and sub-contractors.
7. Skilled Workforce.

b. The District shall weigh the Selection Criteria in subparagraphs a. above by assigning each one a qualitative rating, as follows:

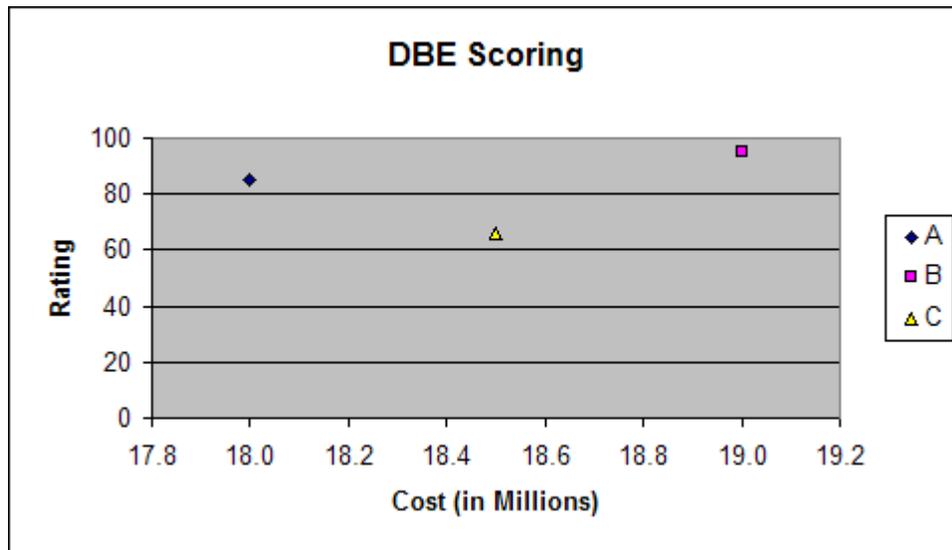
(x) Price will be plotted on the X axis.

(y) All Selection Criteria will be plotted on the Y axis (100 total points possible) with the following points possible for each:

- (1) 15 Points
- (2) 25 Points
- (3) 35 Points
- (4) 10 Points
- (5) 10 Points
- (6) 5 Points
- (7) 5 Points

Note: Points may be deducted in areas where the Design-Build Entity's proposal is inconsistent with the District's requirements or unapproved substitutions are made.

In the illustration below (for a hypothetical project), the Contract would be awarded to Contractor "A". The Cost plotted in the illustration is the Total Proposed Price, or the cost total with the Unsolicited Alternates added to the Total Proposed Price.



- c. RESPONSIVE PROPOSAL. Only proposals
 - 1. that are responsive to factors (X) Price and items (Y)(1) through (Y)(7), and
 - 2. which have documents completed as identified in paragraph 15 of this section, and
 - 3. have taken no exceptions to the Contract Terms, will be determined to be responsive.

- d. ANNOUNCEMENT OF AWARD. Upon completion of District's evaluation of all competitive proposals, District's Selection Committee shall score all responsive Proposals based on the criteria. District shall publicly announce the Notice of Intent to Award the Contract for the Project by posting the announcement on the District's website and by mailing the announcement to all competing Design-Build Entities. The public announcement of the award shall include the all of following: (1) The name of the Design-Build Entity to whom the award was made, together with that Design-Build Entity's price proposal and overall rating on the factors identified in the Request for Proposals; (2) the ranking of the successful Design-Build Entity in relation to all other responsive proposals; (3) the price proposals of all other responsive proposals; and (4) a summary of the District's rationale for the contract award.

18. POST-NOTICE OF AWARD REQUIREMENTS.

- a. Submit the following documents to District by 5:00 p.m. of the tenth (10th) calendar day following receipt of the Notice of Intent to Award. Execution of contract depends upon approval of these documents:
 - 1) Document 00520 Agreement: To be executed by the successful Design-Build Entity. Submit three (3) copies, each bearing all required original signatures.
 - 2) Document 00610 Construction Performance Bond: To be executed by successful Design-Build Entity and surety, in the amount set forth in Document 00610 Construction Performance Bond.
 - 3) Document 00620 Construction Labor and Material Payment Bond: To be executed by successful Design-Build Entity and surety, in the amount set forth in Document 00620 Construction Payment Bond.
 - 4) Document 00630 Guaranty: To be executed by successful Proposer, in the form set forth in Document 00630 Guaranty.

- 5) Insurance forms, documents, certificates and endorsements required by Document 00810 Insurance.
 - b. District shall have the right to confirm the performance bond by communicating directly with the performance bond surety proposed by the successful Design-Build Entity. Sureties must be satisfactory to the District. Corporate sureties on these bonds and on bonds accompanying Proposals must be duly licensed to do business in the State of California and must have an A.M. Best Company financial rating of **A-VII** or better.
19. **PROPOSAL PROTEST.** Any Proposal protest must be submitted in writing to District's main office (Attention: James Keller, Executive Vice Chancellor), before **5:00** p.m., with the time determined by the procedure described in paragraph 1 of this Document 00200, on the **10th** Day following posting of Document 0505 (Notice of Intent to Award). Document 00505 will be posted at the District's website (www.smccd.net). District will use reasonable efforts to deliver by facsimile a copy of Document 00505 to all Design-Build Entities who submitted Proposals no later than the Business Day after issuance, although any delay or failure to do so will not extend the Proposal protest deadline described above.
- a. The initial protest document must contain a complete statement of the basis for the protest.
 - b. The protest must refer to the specific portion of the document that forms the basis for the protest.
 - c. The protest must include the name, address and telephone number of the person representing the protesting party.
 - d. The party filing the protest must transmit a copy of the initial protest document and any attached documentation concurrently to all other parties with a direct financial interest that may be adversely affected by the outcome of the protest. Such parties shall include all other Design-Build Entities that appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.
 - e. The procedure and time limits set forth in this paragraph are mandatory and are the Design-Build Entity's sole and exclusive remedy in the event of Proposal protest. The Design-Build Entity's failure to immediately comply with these procedures shall constitute a waiver of any right to further pursue the Proposal protest, including filing a Government Code Claim or instituting legal proceedings. A Design-Build Entity may not rely on a protest submitted by another Design-Build Entity, but must timely pursue its own protest.
20. **FAILURE TO EXECUTE AND DELIVER DOCUMENTS.** If the Design-Build Entity to whom the Contract is awarded shall for ten (10) calendar days after such award fail or neglect to execute and deliver all required Contract Documents and file all required bonds, insurance certificates and other documents, District may, in its sole discretion, deposit the Design-Build Entity's surety bond, cashier's check or certified check for collection, and retain the proceeds as liquidated damages for the Design-Build Entity's failure to enter into the Contract Documents. The Design-Build Entity agrees that calculating the damages District may suffer as a result of the Design-Build Entity's failure to execute and deliver all required Contract Documents and other required documents would be extremely difficult and impractical and that the amount of the Design-Build Entity's required Proposal security shall be the agreed and presumed amount of District's damages.
21. **DEFINITIONS.** Except as set forth herein, all abbreviations and definition of terms used in these Instructions are set forth in Specifications Section 01420 References and Definitions.
22. **OWNERSHIP OF DOCUMENTS.** All materials, including copyrights for original design work, submitted by Design-Build Entities in response to this Request for Proposal shall become the property of the District.

END OF DOCUMENT