

# ORANGE COUNTY EDUCATIONAL ARTS ACADEMY



## HVAC DESIGN-BUILD SERVICES

**RFQ/RFP No. OCEAA-17SU-18**

### PROJECT MANUAL

### BIDDING AND CONTRACT DOCUMENTS

MANDATORY JOB WALK: 9:00AM, Tuesday, February 6, 2018

BID DUE: 2:00PM PST, Monday, February 26, 2018  
Orange County Educational Arts Academy  
825 N. Broadway, Santa Ana, CA 92701

BOARD APPROVAL: March 14, 2018

# ORANGE COUNTY EDUCATIONAL ARTS ACADEMY REQUEST FOR QUALIFICATIONS/PROPOSALS

## CALIFORNIA CLEAN ENERGY JOBS ACT PROPOSITION 39

### HVAC Design-Build Services RFQ/RFP No. OCEAA-17SU-18

**Orange County Educational Arts Academy** (“District”) requests qualified Contractor firms (“Firm”) to submit their qualifications and proposal for the following services (“Services”):

**Scope of Work:** Design-Build services for the HVAC Replacement

- a. **Design.** The Firm will provide all necessary design, engineering, management, labor, materials, tools, equipment, supplies, and related services for planning and development of high efficiency HVAC equipment and variable speed supply fan control in accordance with the Attachment “A” – Scope of Work.
- b. **Installation.** The Firm shall also provide all Installation services for HVAC Replacement projects including all necessary labor, materials, tools, equipment, supplies, construction management, installation, construction, and training services in accordance with Attachment “A” – Scope of Work.

**Scope of Work shall be performed at the following site(s):**

- 825 N. Broadway, Santa Ana, CA 92701

This project has been identified as energy efficiency improvements to the District with an estimated energy savings of 14,198 kWh per year and an engineering project estimate of \$91,048.

Through this RFQ/RFP, the District intends to procure and implement energy conservation measures via the procurement process as prescribed by Government Code section 4217.10 et seq. based on a best value evaluation and highest score achieved for the weighted criteria outlined in Section 5.

This RFQ/RFP is a formal request for bids, or an offer by the District to contract with Firm(s) responding to this RFQ/RFP. The District reserves the right to accept or reject any Proposals, in part or in whole. The District also reserves the right to amend this RFQ/RFP as necessary. All materials submitted to the District in response to this RFQ/RFP shall remain the property of the District. The District shall not be responsible for the costs of preparing any proposal in response to the RFQ/RFP.

All Proposals shall be submitted on forms furnished by the District. Proposals must conform with, and be responsive to, the RFQ/RFP and Contract Documents, copies of which may be obtained from the District as set forth above. Only Proposals submitted to the District prior to the date and time set forth above shall be considered. Interested Firms should mail or deliver **one (1) original** Proposal and **(4) copies** in hardcopy and **one (1) in electronic format** on a flash drive in a sealed box/package, as further described herein, to:

**Orange County Educational Arts Academy  
Attn: Vanessa Besack, Director of Operations  
825 N. Broadway  
Santa Ana, CA 92701**

Sealed Bids will be received until **2:00PM PST, Monday, February 26, 2018** at the above state address. Please note, the RFQ/RFP will be reviewed after the proposal submission date and will not be publicly opened prior. Any bid that is submitted after the deadline shall be non-responsive and returned to the bidder.

Firms must attend a **Mandatory Site Walk at 9:00AM, Tuesday, February 6, 2018**. The initial Pre-Bid Job Walk is to begin at the location, date and time stated below. Failure to attend will render the Bid Proposal of such bidder to be non-responsive.

**Mandatory Site Walk  
9:00AM, Tuesday, February 6, 2018  
Orange County Educational Arts Academy  
825 N. Broadway, Santa Ana, CA 92701**

Pre-Bid Clarifications/ Questions (RFI's) regarding this Request for Qualifications and Request for Proposals ("RFQ/RFP") must be received in writing at [bmauleon@ccorpusa.com](mailto:bmauleon@ccorpusa.com) by **5:00PM PST, Friday, February 16, 2018**. Responses will be issued by **5:00PM PST, Tuesday, March 20, 2018** via email.

Requests for material substitutions must be received in writing to at [bmauleon@ccorpusa.com](mailto:bmauleon@ccorpusa.com) by **5:00PM PST, Friday, February 16, 2018**. Responses will be issued by **5:00PM PST, Tuesday, March 20, 2018** via email.

1. **General Information/Instruction for Statement of Qualifications and Proposals.**

- 1.1. The District invites qualified Firms to submit a Statement of Qualifications and Proposal (together, "Proposal(s)") related to its ability to provide the Services as indicated herein.
- 1.2. The District is currently seeking Proposals to provide installation services for HVAC unit replacements at (2) of the districts school sites. Through this RFQ/RFP, the District intends to procure and implement energy conservation measures via the procurement process as prescribed by Government Code section 4217.10 et seq.

2. **Description of Services.**

- 2.1. Firm shall provide in its Proposal a detailed Statement of Services that it proposes to provide.

3. **Bid Allowance**

- 3.1. Lump Sum Bid Allowance; **\$9,000** to be used AT THE DISCRETION OF THE DISTRICT.
- 3.2. Any funds **NOT** used as part of the project will be returned to the district in the form of a *Deductive Change Order* prior to Retention Payment.

4. **Content of Proposals**

Proposals must be concise, well organized, and demonstrate Firm's qualifications. Proposals shall be formatted and outlined as defined below. If the submission does not follow the formatting guidelines or any of the information in sections below are not included, the proposal may be deemed non-responsive.

1. Shall be spiral bound (No Binders);
2. Shall plain-white, double-sided 8½" x 11" paper;
3. Shall use size 12 font, 1" margins, and single-spaced Time's New Roman;
4. Shall include a Table of Contents;
5. Shall be ordered and tabbed per the Sections reflected below.
6. Shall adhere to page limits defined in each Section;

**SECTION 1. LETTER OF INTEREST** (Limit 1 page)

A dated Letter of Interest must be submitted, including the legal name of the Firm, address, telephone and fax numbers, and the name, title, and signature of the person(s) authorized to submit the Proposal on behalf of the Firm. The Letter of Interest should provide a brief statement of Firm's experience indicating the unique background and qualities of the Firm, its personnel, and what will make the Firm qualified to provide the Services.

**SECTION 2. FIRM INFORMATION** (Limits defined by individual component)

Provide a comprehensive narrative of the Services offered by Firm. The narrative should include the following:

- **Background** (Limit 2 pages). Provide a brief history of Firm, and, if a joint venture, of each participating Firm. Identify legal form, ownership, and senior officials of company(ies). Describe number of years in business and types of business conducted.
- **Philosophy** (Limit 1 page). Describe Firm's philosophy and how Firm intends to work with District administration officials to perform the Services.
- **Resumes** (Limit 5 pages). Include resumes of key personnel who would be performing Services for the District.
- **Licenses and Certifications** (No Limit). Provide a list of all Firm licenses and certifications held. Minimum requirements include a copy of a current and good standing Business License and proof of a valid **Class B license** or **Class [C-20 and C-10]** for HVAC and electrical work.
- **Financial Statements** (No Limit). Provide a statement of Firm's financial solvency and stability. The firm's monthly financial statements should be for a minimum 6 months for the most recent available period. Include a certification of correctness of Firm's statement of financial resources and a current Profit and Loss Statement.
- **Experience Modification Rating** (No Limit). Describe your Firm's safety program. Include proof of your firm's safety Experience Modification Rating (EMR) or equivalent.

- **Claims** (No Limit). Provide a statement of **ALL** claim(s) filed against Firm in the past five (5) years. Briefly indicate the nature of the claim and the resolution, if any, of the claim(s). Failure to disclose outstanding claims or falsify records may result in immediate contract termination.
- **References** (Limit 3 pages). Include letters of reference or testimonials, if available. Firm should limit letters of references or testimonials to no more than ten (10).

**SECTION 3. PRIOR RELEVANT EXPERIENCE (Limit 3 pages)**

Provide a list of ALL K-12 and Community College Districts for which Firm has provided the same or similar Services to in the past five (5) years. Limit your response to no more than the five (5) most recent districts. Include the names of the district, a description of services provided, and the name of the contact person and telephone number at the district. Also, indicate the Firm’s personnel that performed services for each district.

List other public entities that the Firm would like the District to consider in its evaluation.

**SECTION 4. STATEMENT OF SERVICES (No limit)**

Prepare a detailed Statement of Services for which Firm is submitting its Proposal that includes all work as described in the **Attachment “A” – Scope of Work**. The Statement of Services shall include:

- **Personnel Roles**. Specifically, define the role of each person and outline his or her individual experience and responsibilities. Indicate personnel who will serve as primary contact(s) for the District. Indicate Firm’s and personnel’s availability to provide the Services.
- **Organizational Chart**. Provide an organizational chart with the key positions that will be assigned to work on this project.
- **Project Management Plan**. Outline the project management process the Firm will utilize for this project and a Project Plan that includes ways and means of procurement and transport of equipment and installation.
- **Schedule**. Provide a schedule of the work to meet required Project Milestones for each Project, as required in the following table.
  - Contractor will have access to site during **normal working hours** and should schedule work accordingly.

Activity	Milestone Dates
Notice to Proceed (NTP)	Expected NTP by <b>March 15, 2018</b>
Material Product Submittals	10 Calendar Days from NTP
Construction Start and Mobilization	<b>June 25, 2018</b>
Commissioning	10 days prior to Completion
Completion	<b>August 10, 2018</b>

*Table 1: Milestone Dates*

**SECTION 5. COMPENSATION** (Limit defined by **Attachment “C” – Funding Summary**)

Provide Firm’s proposed fee for performance of the Services on **Attachment “C” – Funding Summary**. Pricing information for Agreement including estimated design costs, construction costs, material and equipment costs, Firm’s mark-up on subconsultant and subcontractor prices, general conditions, and all other categories of costs, expenses, fees, or charges that Firm anticipates will be a part of its price to complete this portion of the Services. Pricing information should breakdown total costs per site.

Hard copy prints must be included of all **Attachment “C” – Funding Summary** in this section.

- Cover Sheet as included in **Attachment “C” – Funding Summary**.
- Contractor Pricing Summary as included in **Attachment “C” – Funding Summary**.
- Itemized pricing estimates as included in **Attachment “C” – Funding Summary**. Fees should include all related material, labor, fees, rentals for each site.
- Monthly Schedule of Values (SOV) for the duration of the project in the Contractor format of choice.

**SECTION 6. SUPPLEMENTAL STATEMENTS** (Limits defined by individual component)

- **Conflict of Interest** (Limit 1 page). Explicitly provide a statement of any recent, current, or anticipated contractual obligations that relate to similar work that may have a potential to conflict with the Firm’s providing the Services to the District.
- **Contractor Certification Clause 800.**
- **Contractor Registration.** Firm shall ensure that it and its Subcontractors comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its CPRs to the Labor Commissioner, and are registered pursuant to Labor Code section 1725.5. Firm and its subcontractors shall comply with Labor Code section 1725.5 to be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of the Contract. Pursuant to Senate Bill (SB) 854, effective March 1, 2015, all contractors or subcontractors submitting bids for public works must be registered with the State of California Department of Industrial Relations (DIR). Effective April 1, 2015, all contractors or subcontractors entering into contracts for public works must be registered with the DIR. The cost to register for the program is \$300.00 and is nonrefundable. This is the initial fee being set for the program, but the Director of the DIR has the authority to annually adjust the fee. There is also an annual renewal fee on or before July 1 of each year thereafter. Contractors must have a current license which is subject to verification through the DIR and the Contractors State License Board (CSLB). No bid can be accepted nor any contract or subcontract entered into without proof that the contractor or subcontractor is registered with the DIR. Note that the DIR website currently has a registration procedure available at:  
<http://www.dir.ca.gov/dlse/dlsePublicWorks.html>. More information regarding labor compliance can be found on the DIR’s website. <http://www.dir.ca.gov>.
- **Prevailing Wage Rates.** Employment of Apprentices and Labor Compliance Program. The Project is subject to the provisions of Labor Code §§1720 et seq. and regulations set forth in Title 8 §§16000 et seq. of the California Code of Regulations

which govern the payment of prevailing wages on public works projects. All bidders shall be governed by and required to comply with these statutes and regulations in connection with the Project. Pursuant to Labor Code §1771, the Contractor receiving award of the Contract and Subcontractors of any tier shall pay not less than the prevailing wage rates to all workers employed in the execution of the Contract. Bidders shall comply with applicable statutes and regulations, including but not limited to Labor Code §§ 1771, 1775, 1777.5, 1813 and 1815.

Pursuant to Labor Code §1773, the Director of the Department of Industrial Relations has determined the generally prevailing rates of wages in the locality in which the Work is to be performed. Pursuant to Labor Code §1773.2, copies of these determinations, entitled "PREVAILING WAGE SCALE", are maintained at the District's and are available to any interested party upon request. Copies of rate schedules are also available on the Internet at [http://www.dir.ca.gov/DIR/S&R/statistics\\_research.html](http://www.dir.ca.gov/DIR/S&R/statistics_research.html). The Contractor awarded the Contract for the Work shall post a copy of all applicable prevailing wage rates for the Work at conspicuous locations at the Site of the Work.

- **Additional Information** (Limit 2 pages). Provide any additional information, options, or features related to Firm's program or its Services that Firm believes the District will find helpful in the District's evaluation and selection process.

5. **District’s Evaluation/Selection Process.**

The District intends to select one of the Firms—but reserves the right to select more than one Firm—that best meet(s) the District’s needs to perform the Services as described in this RFQ/RFP. From the Firms that provide Proposals to the District, the District may, at its discretion, interview some or all of those Firms. One or more Firms may be selected and recommended to the governing board of the District for approval (“Successful Firm”). The Successful Firm will be selected based on qualifications and demonstrated competence that include relevant experience with public agencies, including local agencies, and a proven track record of success for these types of Services. A “best value” method of selection will be utilized. The “best value” method includes, but is not limited to, the following selection criteria:

- Technical expertise;
- Team experience;
- Recent success with similar energy projects;
- Proximity of offices and availability of qualified staff;
- Prior experience with District staff and current consultants;
- Approach in providing Services;
- Design;
- Pricing.

RFQ Selection Criteria	Evaluation Weight
Proposal Completeness	5%
Firm Information (Project Team, Safety EMR, Financials)	15%
Prior Relevant Experience	15%
Schedule	25%
Compensation	40%
<b>Total</b>	<b>100%</b>

*Table 2 - Evaluation Weights*

The District reserves the right to contract with any Firm responding to this RFQ/RFP for all or portions of the Services, to reject any proposal as non-responsive, and not to contract with any Firm for the Services described herein. The District makes no representation that participation in the RFQ/RFP process will lead to an award of contract or any consideration whatsoever. The District reserves the right to seek proposals from or to contract with any Firm not participating in this process. The District shall in no event be responsible for the cost of preparing any proposal in response to this RFQ/RFP.

The District reserves the right to reject any or all Bid Proposals or to waive any irregularities or informalities in any Bid Proposal or in the bidding.

No Bidder shall withdraw its Bid Proposal for a period of **sixty (60) days** after the award of the Contract by the District’s Board of Trustees. During this time, all Bidders shall guarantee prices quoted in their respective Bid Proposals.

Responses to this RFQ/RFP will become the property of the District and subject to the California Public Records Act, Government Code sections 6250, *et seq.* Those elements in each response that are trade secrets as that term is defined in Civil Code section 3426.1(d) or otherwise exempt by law from disclosure and which are prominently marked as “TRADE SECRET,” “CONFIDENTIAL,” or “PROPRIETARY” may not be subject to disclosure. The District shall not be liable or responsible for the disclosure of any such records including, without limitation, those so marked if disclosure is deemed to be required by law or by an order of the Court. A Firm that indiscriminately identifies all or most of its response as exempt from disclosure without justification may be deemed non-responsive. In the event the District is required to defend an action on a Public Records Act request for any of the contents of a response marked “Confidential,” “Proprietary,”



or “Trade Secret,” the Firm agrees, by submission of its response for the District’s consideration, to defend and indemnify the District from all costs and expenses, including attorneys’ fees, in any action or liability arising under the Public Records Act.

**Interpretation of Project Documents** If any Bidder is in doubt as to the true meaning of any part of the Project Documents, or finds discrepancies in or omissions from the Project Documents, a written request for an interpretation or correction thereof must be submitted to the DISTRICT three (3) days before bid deadline. No requests shall be considered after this time. The Bidder submitting the written request shall be responsible for its prompt delivery. Any interpretation or correction of the Project Documents will be made solely at DISTRICT’S discretion and only by written addendum duly issued by the DISTRICT, and a copy of such addendum will be posted to the District website e-mailed to each Bidder known to have received a set of the Project Documents. No person is authorized to make any oral interpretation of any provision in the Project Documents, nor shall any oral interpretation of Project Documents be binding on the DISTRICT. If there are discrepancies of any kind in the Project Documents, the interpretation of the DISTRICT shall prevail. SUBMITTAL OF A BID WITHOUT A REQUEST FOR CLARIFICATIONS SHALL BE INCONTROVERTIBLE EVIDENCE THAT THE BIDDER HAS DETERMINED THAT THE PROJECT DOCUMENTS ARE ACCEPTABLE AND SUFFICIENT FOR BIDDING AND COMPLETING THE WORK; THAT BIDDER IS CAPABLE OF READING, FOLLOWING AND COMPLETING THE WORK IN ACCORDANCE WITH THE PROJECT DOCUMENTS; AND THAT BIDDER AGREES THAT THE PROJECT CAN AND WILL BE COMPLETED ACCORDING TO THE DISTRICT’S TIMELINES AND ACCORDING TO THE PROGRESS SCHEDULE TO BE SUBMITTED BY THE SUCCESSFUL BIDDER INCORPORATING THE DISTRICT’S TIMELINES FOR COMPLETION OF THE PROJECT.

6. **Supplemental Attachments**

Attachment “A” – Scope of Work

Attachment “B” – HVAC Specifications

Attachment “C” – Funding Summary