

STANISLAUS COUNTY OFFICE OF EDUCATION

1100 H STREET
MODESTO, CA 95354

REQUEST FOR STATEMENTS
OF QUALIFICATIONS

FOR

LEASE-LEASEBACK SERVICES
RFQ #2022003
July 1, 2022-June 30, 2025

Request for Qualifications Issued: May 2, 2022
RFQ Responses Due: May 25, 2022 at 2:00 PM

REQUEST FOR STATEMENTS OF QUALIFICATIONS LEASE-LEASEBACK SERVICES

SECTION 1 – INTRODUCTION

Stanislaus County Office Of Education (“County Office”) is requesting Statements of Qualifications (“SOQ”) from business entities experienced in the “Lease-Leaseback” public project delivery method (“LLB” Entities) which are qualified to provide all necessary services for construction of various projects using the “Lease-Leaseback” process under Education Code section 17406, including, but not limited to the following:

Modernization of facilities and property- Foothill Horizons Outdoor Ed. Camp
New Construction/Modernization for Alternative Education – various sites
New Construction/Modernization for Administrative Facilities –various sites
Parking Lot Renovations – Various Sites
Modular Building Replacement/Modernization – various sites

The County Office intends to do the following:

1. Select an experienced LLB Entity or Entities, based on the analysis of SOQ’s from experienced LLB Entities that have successfully completed the construction and renovation of similar facilities using the “Lease-Leaseback” process for projects exceeding one million dollars.
2. The County Office will enter into separate design agreements with architects for project programming, coordination and the development of plans and specifications for the various Projects.
3. The construction of the Projects, or other LLB projects undertaken pursuant to responsive SOQ’s, will not commence until after written County Office approval of the plans and specifications is obtained.
4. The County Office is soliciting SOQ’s from qualified LLB Entities that must have experience in the planning, scheduling and construction of school projects valued in excess of \$1,000,000 (one million dollars).
5. The County Office intends to award contracts for Lease-Lease Back projects resulting from this Request for Statement of Qualifications for no more than a three year period, starting July 1, 2022 through June 30, 2025.

The following describes the currently contemplated Project:

Project Descriptions

New Construction / Modernization for Foothill Horizons Outdoor Education – Facilities and Property will need to be replaced, expanded or upgraded in the near future.

New Construction / Modernization for Alternative Education – Planning has not started on these projects. Alternative Education facilities will need to be replaced, expanded or upgraded in the near future.

Modernization of Administrative Facilities – Facilities will need to be expanded or upgraded in the near future at various SCOE sites.

Parking Lot Renovations – Several of SCOE’s existing sites are in need of parking lot Renovations. Planning has not started on these projects.

Modular Building Replacement/ Modernization – SCOE owns many relocatable buildings across Stanislaus and other counties. Some may need to be replaced or modernized in the near future. This will include site upgrades to meet current ADA standards.

This Request for Qualifications (RFQ) describes the Projects, the anticipated Scopes of Work, the selection process and the minimum information that must be included in each Respondent's SOQ.

The County Office will compare and evaluate all SOQs and select a LLB Entity or Entities that best meet(s) the needs of the County Office, based on the following factors:

- ◆ Experience, expertise, and knowledge of the LLB process.
- ◆ Ability to meet established budgets and timelines.
- ◆ Ability to provide constructability and value engineering reviews.
- ◆ Ability to provide exemplary construction services, including the identification and profile of key personnel assigned to the Project(s).
- ◆ Ability to coordinate off-site and on-site issues with the County Office and any other design professionals and consultants retained by the County Office, jurisdictional agencies, including the Local Public Works Department, Building and Safety Department and others (as applicable).
- ◆ Knowledge of jurisdictional agencies, including utilities (as applicable).
- ◆ Ability and willingness to work with local vendors, suppliers, and contractors.
- ◆ Training and experience of key personnel in renovation of mission critical systems.
- ◆ Staff capacity, depth, and current workload.
- ◆ Nature and quality of the firm's completed work, particularly like environments to SCOE.
- ◆ Stability, reliability and continuity of the firm and its members.
- ◆ Location of the firm's office relative to the County Office.
- ◆ Fee competitiveness.
- ◆ Financial resources and stability of Respondent and any principal consultant and/or consultant team
- ◆ Other considerations deemed relevant by the County Office.

Respondents are directed to send any questions, correspondence and all proposals in writing to:

**SCOE Facilities
Stanislaus County Office of Education
1100 H Street
Modesto, CA 95354**

Responses shall be submitted no later than: 2:00 PM on May 25, 2022

SECTION 2 – SELECTION PROCESS/PROJECT TIMETABLE

The process involves the solicitation and formal invitation of firms capable of performing LLB services, requesting the submission of SOQs based on the RFQ. Upon receipt, the County Office’s evaluation team will review the submittals for compliance and rank them accordingly. The top three (3) (or more if desired by the County Office) ranked firms will be considered for further review. It is anticipated that the three highest ranking firms will be invited for an interview.

Any interview or selection panel may consist of County Office staff, which may include: the Superintendent, Board of Trustee members, legal representation, consultants, architects and any other representative(s) as deemed appropriate by the County Office.

The following dates present a general guideline and are subject to change by the County Office:

1. Request for SOQs Published: May 2 and May 10, 2022
2. SOQs due: 2:00 PM on May 25, 2022
3. Review of SOQs Completed by: June 13, 2022 (tentative)
4. Interviews: June 2022 (tentative)
5. Announcement of Approved LLB Entities: July 2022
6. Finalize proposed contract(s) with one or more LLB Entities: as projects are planned.

SECTION 3 – CONTRACTOR SERVICES

The scope of services required for each Project is anticipated to include, but shall not be limited to:

Assisting with Pre-design services, including:

- ◆ Cost estimating and value review.
- ◆ Development of a Guaranteed Maximum Price (GMP) that is acceptable to the County Office.
- ◆ Negotiate a Lease-Lease-back contract with the County Office with an acceptable GMP.
- ◆ Bid the work with a minimum of 3 bids for each selected trade.
- ◆ Expedite design reviews, including modifications, if any, based on value analysis.
- ◆ Undertake value-engineering analysis and prepare reports with recommendations to the County Office to maintain established project budget(s).
- ◆ Identify, coordinate and confirm all utilities (including points of connection).
- ◆ Prepare a Critical Path Method schedule on Primavera (or equal) software computer program acceptable to the County Office, clearly identifying the

critical path, milestones, predecessors, successors, float, lag, start-to-finish, start-to-start, finish-to-start, or finish-to-finish relationships.

Construction and Post-Construction Services:

- ◆ Document, and coordinate record drawings to accurately portray “as-built” conditions.
- ◆ Compile operations and maintenance manuals, warranties/guarantees, and certificates.
- ◆ Provide the necessary training and in-service to the County Office’s Maintenance and Operations personnel as well as the site staff.
- ◆ Obtain occupancy permits; coordinate final testing, documentation, and governmental inspections.
- ◆ There will be commissioning required for major building components, the contractor will be required to provide appropriate electrical and mechanical personnel to support this activity. The commissioning will be conducted by a third party organization.
- ◆ Prepare final accounting and close out reports; prepare occupancy plan reports.
- ◆ Other responsibilities necessary for the completion of the Project in accordance with the Construction Documents and all applicable State laws and regulations.
- ◆ Final presentation to the Board of Trustees regarding the process.

The selected LLB Entity for each Project will also perform various preconstruction services, including but not limited to design/constructability review and value engineering under a Preconstruction Services Agreement. If the County Office proceeds with the Construction Phase of a Project, the selected LLB Entity will be acting as such pursuant to appropriate Site and Facilities Lease Agreements and related Construction Provisions, and may contract with separate general and/or trade contractors to perform the various trades comprising the entire Scope of Work.

The LLB Entity shall work under the direction of the County Office’s Facilities Planning Department, or designated representative. It is expected that the LLB Entity will include, or employ, a licensed California contractor. The architect will be the architect of record and the LLB Entity will defer to the direction of the architect.

SECTION 4 – GUARANTEED MAXIMUM PRICE

Respondents are not required to include a guaranteed maximum price for the Project with their initial SOQs. Upon completion of the Construction Document Phase of the project, LLB Contractor shall obtain sub-contractor bids, and, if the County Office proceeds with the Construction Phase of the Project, the successful LLB Entity will be required to provide a finalized and/or negotiated guaranteed maximum price for the Construction Phase of the Project.

Respondents should outline their SOQ the Construction Fee Percentage, as well as a delineation of General Conditions and Project Insurance, to inform the County Office how such pricing is determined.

SECTION 5 – SUBMITTAL FORMAT AND CONTENT

All Respondents are required to follow the format specified below. Each SOQ must be clear, concise, well organized, complete, and demonstrate Respondent’s qualifications to perform and complete each Project using the Lease-Leaseback delivery method. The SOQs may be no longer than 25 pages, 8 ½” x 11” paper, inclusive of resumes, forms, and pictures. Each section of the submittal shall be tabbed according to the numbering system shown below to aid in expedient information retrieval. (NOTE: Respondents shall base their submittals on the “Factors” listed in Section 1 as well as the “Scope of Work”.) Five (5) copies of the submittal shall be delivered by the submittal due date and time, as specified above.

Submittal Cover

Include the RFQ’s title and submittal due date, the name, address, fax number, and the telephone number of the Respondent firm (or firms if there is a joint venture or association).

Table of Contents

Include a complete and clear listing of headings and pages to allow easy reference to key information.

- I. **Cover Letter** – The cover letter should be brief (two pages maximum). Describe how to “Scope of Work” and “Evaluation Factors” will be addressed and/or accomplished for the County Office, including the location of the firm’s offices and the office responsible for each Project, and the response time to the County Office’s requests. Describe those conditions, constraints, or problems that are unique to the Scope of Work that may adversely affect either the cost or work progress; identify the team members (i.e., joint partners and sub-consultants), and include the title and signature of the firm’s contact person(s) for the County Office’s Project(s). If the firm is proposing to co-respond with another principal firm, the cover letter must specify the type of services to be provided by each firm and the proposed percentage allocated to that phase or function of the service. Any changes to the County Office’s requested format or deletions of requested materials should be explained in the cover letter. The signatory shall be a person with official authority to bind the company.

- II. **Mandatory Qualifications** – Respondents must hold a General Building Contractor “B” License and a General Engineering Contractor “A” License, which is current, valid and in good standing with the California Contractor’s State License Board, or employ such a licensed individual, or include in their response

the contractual relationship with such a licensed individual who will participate in the LLB Entity's performance of each Project as a LLB Entity and team member under this RFQ. Respondents may also have qualifications to provide design services in accordance with California law. Provide the following information for each license:

- ◆ Name of license holder exactly as on file.
- ◆ License Classification.
- ◆ License & DIR Registration No.
- ◆ Date Issued.
- ◆ Expiration Date.
- ◆ Whether any license has been suspended or revoked in the past 5 years. If so, explain.

Respondents shall also provide information regarding all proposed design consultants and sub consultants.

III. Methods and Strategic Plan – Describe in detail your methods and plan for carrying out the Scope of Work.

1. Describe what steps you will take to facilitate this process as well as any specific critical issues and your solutions to ensure a successful project.
2. List recent (within last 3 years) project experience in the Public Works area, and the individual team members responsible for negotiations or working relationships with governing agencies or departments.

IV. Qualifications and Experience – This section shall contain the following: A description of the Respondent's experience in providing Construction and LLB services for public entities in excess of one million dollars with special emphasis on Mission Critical Projects. Provide all current similar project information, including:

- 1 Name/Phone of Owner's Representative.
- 2 Construction Contract Amount.
- 3 Square Footage of Project.
- 4 Completion Date or Scheduled Completion Date.
- 5 Key Personnel Involved.

V. Past Performance Record – If any of the following has occurred, please describe in detail the circumstances for each occurrence:

- ◆ Failure to enter into a contract once selected.
- ◆ Withdrawal of a proposal as a result of an error.
- ◆ Termination or failure to complete a contract.
- ◆ Debarment by any municipal, county, state, federal or local agency.
- ◆ Involvement in litigation, arbitration or mediation.

- ◆ Conviction of the firm or its principals for violating a state or federal anti-trust law by bid-rigging, collusion, or restrictive competition between bidders, or conviction of violating any other federal or state law related to bidding or contract performance, or any violation of Prevailing Wage laws.
- ◆ Knowing concealment of any deficiency in the performance of a prior contract.
- ◆ Falsification of information or submission of deceptive or fraudulent statements in connection with a contract.
- ◆ Willful disregard for applicable rules, laws or regulations.
- ◆ Failure to timely submit all required closeout documents for any Project.

Information regarding any of the above may be deemed to indicate an unsatisfactory record of performance. Failure to disclose requested information will result in automatic rejection of a submittal and disqualification of the Respondent from participation on County Office projects.

VI. **Organizational Chart** – An organizational chart containing the names of all key positions, joint venture partners, and consultants with titles and their specific task assignment for a Project shall be provided in this section. The County Office’s evaluation will consider the entire team. No changes in the successful LLB Entity’s team composition will be allowed without prior written approval of the County Office.

VII. **Location** – Proximity of local office(s) to the County Office including the types and quantities of professionals employed by the firm locally.

VIII. **Financial Information** – Provide the following financial information:

- ◆ A current report from any recognized commercial credit rating service, such as Dunn and Bradstreet or Experian.
- ◆ A letter from a California admitted surety or insurance company stating bonding limit that can be applied to the Projects.
- ◆ A letter from a California admitted insurance company indicating ability to provide insurance. The following is a tentative schedule:
 - Commercial General Liability Insurance: Commercial General Liability Insurance shall be at least as broad as Insurance Services Office General Liability Coverage (Occurrence Form CG 0001.) One Million Dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage/Three Million Dollars (\$3,000,000) aggregate.
 - Automobile Liability Insurance: Automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 0001 covering Automobile Liability, Code 1 (any auto). One Million Dollars (\$1,000,000) for bodily injury and property damage each accident limit.

- Workers' Compensation and Employer's Liability Insurance: The LLB Entity and all trade contractors shall be insured (or be a qualified self-insurer) under the applicable laws relating to Workers' Compensation insurance, for all of their employees working on or about the construction site, in accordance with the "Workers' Compensation and Insurance Act", Division IV of the Labor Code of the State of California and any acts amendatory thereof. The LLB Entity shall provide employer's liability insurance in the amount of at least One Million Dollars (\$1,000,000) per accident for bodily injury and disease.
 - Builder's Risk Insurance: The LLB Entity shall provide and maintain builder's risk insurance (or installation floater) covering all risks of direct physical loss, damage or destruction to the work. Coverage shall equal the Project GMP amount, if requested by the County Office.
 - All insurance will be in a form and with insurance companies acceptable to the County Office.
 - Insurance carriers shall be qualified to do business in California and maintain an agent for process within the State.
 - Stanislaus County Office of Education shall be listed as an additional insured on each of the above policies, and original proof of insurance showing this additional insured party must be presented at time of final execution of Lease-Leaseback contract(s).
- ◆ Indicate current value of all work the Respondent has under contract.
 - ◆ Indicate current workers' compensation experience modification ratio (EMR) for you and all major trade contractors which you intend to perform work on any Project.

IX. **Other Information** – This section shall contain all other pertinent information in the following order:

- ◆ Description of safety record for Respondent and anticipated trade contractors for the last five years. Safety records below the national averages provided by the federal government may be an indication that the Respondent has an unsatisfactory record of safety.
- ◆ Description of in-house resources of Respondent and co-venture partner(s) (i.e., computer capabilities, software applications, modem protocol, and modeling programs, etc.).
- ◆ Description of any previous involvement with the Stanislaus County Office of Education.

X. **Exceptions to this RFQ** – Each SOQ shall certify that the Respondent takes no exceptions to this RFQ or addenda.

SECTION 6 – SUBMITTAL EVALUATION CRITERIA

Submittals received by the County Office will be evaluated according to the criteria listed below:

- ◆ Conformance to the specified RFQ format;
- ◆ Organization, presentation, and content of the submittal;
- ◆ Specialized experience and technical competence of the firm(s), (including principal firms, joint venture-partners, and consultants) considering the types of services required; the complexity of each Project; record of performance; and the strength of the key personnel who will be dedicated to each Project;
- ◆ Proposed methods and overall strategic plan to accomplish the work in a timely and competent manner;
- ◆ Knowledge and understanding of the local environment and a local presence for interfacing with the County Office;
- ◆ Financial resources and stability of Respondent and any principal consultant and/or consultant team; and
- ◆ Ability to meet the insurance requirements unless County Office, at its sole discretion, decides to modify or waive the insurance requirements or elects to provide Project insurance.

SECTION 7 – METHOD OF SELECTION

The County Office may conduct interviews with the most qualified LLB Entity or Entities that submit SOQs responsive to this RFQ. All LLB Entities selected for a County Office interview shall submit a sealed price range that will be used as a basis for negotiating the pre-construction services.

The County Office will use the scoring criteria listed in Section 6 to evaluate each LLB Entity on their demonstrated competence and on their professional qualifications necessary for the satisfactory performance of the services required, as evidenced in their SOQ, any interviews, and any communications with references and parties involved on prior works completed by Respondent. The County Office may negotiate a contract with the LLB Entity, or Entities, best qualified, as determined by the County Office to be in the best interest of the County Office, at compensation that the County Office determines is fair and reasonable. Should the County Office be unable to negotiate a satisfactory contract with the LLB Entity considered to be the most qualified at a price the County Office deems reasonable for a given project, negotiations with that LLB Entity may be formally terminated. The County Office may then undertake negotiations with the second most qualified LLB Entity for a given project. In the event negotiations fail with the second most qualified LLB Entity for a given project, the County Office may undertake negotiations with the third most qualified firm, and so on, and so forth.

The County Office reserves the right to select one or more firms to perform the work identified within this RFQ.

SECTION 8 – GENERAL INFORMATION

Compliance - Submittals must be in strict accordance with the requirements of the RFQ. Any SOQ not submitted in accordance with the requirements of the RFQ may be rejected. The County Office reserves the right to waive any irregularity or informality in the process at the County Office's sole discretion and election.

Amendments - The County Office reserves the right to cancel or revise this RFQ in part or in its entirety. If the County Office cancels or revises this RFQ, all Respondents will be notified by addenda. The County Office also reserves the right to extend the date responses are due.

Inquiries - All questions about the meaning or intent of this RFQ shall be submitted to the County Office in writing as specified above.

Late Proposals - It is the Respondent's responsibility to ensure its SOQ submittal is received by the County Office on or before the time and date specified. Submittals received after the date and time specified may not be considered, at the County Office's sole discretion and election.

Special Conditions

- A. **Public Record.** All SOQs submitted in response to the RFQ become the property of the County Office (with the exception of financial information) and as such, might be subject to public view.
- B. **Non-Discrimination.** The County Office does not discriminate on the basis of race, color, national origin, religion, age, ancestry, medical condition, disability or gender in consideration for an award of contract.
- C. **Drug-Free Policy and Fingerprinting.** Any selected LLB Entity shall be required to complete any and all fingerprinting requirements and criminal background checks required by State law and shall also be required to complete a Drug-Free workplace certificate.
- D. **Costs.** Costs of preparing a SOQ in response to this RFQ are solely the responsibility of the Respondent.
- E. **Prevailing Wages.** Respondents are advised that each specified Project, and all potential Projects encompassed by this RFQ, constitute a public work for purposes of the California Labor Code, which requires payment of prevailing wages in effect at the time the contract is signed and a Project is constructed. The County Office will obtain from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work. Any LLB Entity to which a contract is awarded must pay the applicable prevailing rates, post copies thereof at the job

site, comply with the County Office's Labor Compliance Program, and otherwise comply with applicable provisions of state law. (Education Code section 17424; Labor Code sections 1720 *et seq.*)

- F. Securities. Respondents are advised that if awarded a contract, they will be permitted, at their request and expense and in accordance with Section 22300 of the California Public Contract Code, to substitute securities equivalent to retention monies withheld by the County Office to insure performance under the contract.
- G. Bonding. Any successful LLB Entity will be required to furnish a Performance Bond in the amount of one hundred percent of the contract price, and a Payment (Material and Labor) Bond in the amount of one hundred percent of the contract price issued by a California admitted surety.
- H. Limitations. This RFQ does not commit the County Office to award a contract, to defray costs incurred in the preparation of a SOQ pursuant to this RFQ, or to procure or contract for any work.
- I. **NOTE:** Incomplete submittals, incorrect information, or late submittals may be cause for immediate disqualification. Issuance of this RFQ does not commit the County Office to award a contract, or pay any costs incurred in the preparation of a response to this RFQ. The County Office reserves the right to request additional information or clarification at any time. The County Office retains the right to reject any or all submittals. All Respondents should note that the execution of any contract pursuant to this RFQ is dependent upon the approval of the Stanislaus County Office of Education and its sole discretion.