REQUEST FOR QUALIFICATIONS AND PROPOSALS (RFQ/P)

Commissioning Services
for New Multi-Purpose Building & Kitchen
at Claremont Middle School (5750 College Avenue, Oakland, CA 94618)

February 17, 2021 (Issued)

Responses must be received March 10, 2021, no later than 2:00 p.m.

The Oakland Unified School District ("District") is requesting proposals from experienced firms, partnerships, corporations, associations, persons or professional organizations ("Consultants") to provide commissioning services associated with the design and construction of a multi-purpose building and associated site development at Claremont Middle School ("Project").

Interested firms are invited to submit a completed Statement of Qualifications ("SOQ") along with the Fee Proposal (collectively "RFQ/P Packet") as described below, with one (1) unbound wet-signed original, five (5) bound copies and a PDF version on a flash drive of requested materials to:

Oakland Unified School District
Tadashi Nakadegawa, Deputy Chief
Department of Facilities Planning and Management
955 High Street, Oakland, CA 94601

Oral, telegraphic, facsimile or telephone RFQ/P Packets will not be accepted. RFQ/P Packets received after this date and time will not be accepted and returned unopened. The District reserves the right to waive any informality or irregularities in the RFQ/P Packets. The District also reserves the right to reject any and all RFQ/P Packets and to negotiate contract terms with one or more Respondents.

Due to the circumstances caused by the Covid-19 pandemic, the District will accept electronic Proposals sent via email in lieu of hard copies. Proposals received by the District no later than 2:00 p.m. (Pacific Standard Time) on March 10, 2021 via email will be accepted.

If you have any questions regarding this RFQ/P please email Kenya Chatman at kenya.chatman@ousd.org and cc: to Colland Jang at colland.jang@ousd.org.

LOCAL, SMALL LOCAL AND SMALL LOCAL RESIDENT BUSINESS ENTERPRISE PROGRAM
The Local Business Utilization Policy requires that there is a mandatory fifty percent (50%) LBU participation with a 25% or less Local Business (LBE) participation and a 25% or more Small Local or Small Local Resident Business (SLBE/SLRBE) participation for all capital program/construction-related contracts and professional service agreements. The full version of OUSD's latest Local, Small Local and Small Local Resident Business Enterprise Program can be found by going to the OUSD home page: ouisd.org> Offices and Programs> Facilities Planning & Management Department> For Contractors and Developers> Bids and Requests for Proposals> Bid Information> 2014 Amendment to Local Business Participation Policy.
Schedule of Activities

Listed below is the “Schedule of Activities” which outlines pertinent dates of which firms responding to this solicitation should make themselves aware.

<table>
<thead>
<tr>
<th>DATE</th>
<th>ACTIVITY</th>
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<tbody>
<tr>
<td>February 17, 2021</td>
<td>RFQ/P Issued.</td>
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<tr>
<td>February 24, 2021</td>
<td>Submit Statement of Interest with contact information (emails acceptable).</td>
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<td>February 24, 2021</td>
<td>Written requests for Interpretation, Correction or Modification are due.</td>
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<tr>
<td>March 3, 2021</td>
<td>District will provide written responses to requests for clarification.</td>
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<tr>
<td>March 10, 2021</td>
<td>Proposals Due by 2:00 p.m. PST</td>
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<tr>
<td>TBD</td>
<td>Interviews of Short Listed Firms.</td>
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<tr>
<td>April 28, 2021</td>
<td>Board Meeting – tentative approval of Contract.</td>
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<tr>
<td>April 29, 2021</td>
<td>Tentative Notice to Proceed issued to Consultant.</td>
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**ESTIMATED CONSTRUCTION BUDGET**: $18.0 Million

**PROJECT DURATION**: Project Completion by mid-September 2022
REQUEST FOR QUALIFICATIONS & PROPOSALS

The purpose of this RFQ/P is to solicit fee proposals from consulting firms for the new Multi-Purpose Building & Kitchen Project at Claremont Middle School.

A. PROJECT DESCRIPTION

1. Construction of a new single story 9,544 s.f. multi-purpose building with a kitchen. The multi-purpose building among other uses will function as the school’s cafeteria. See attached Title Sheet, Site and Floor Plans from 75% Construction Document Set (Sheets A0.00, A0.10, A2.00 and A2.10).

2. Site improvements to include but not limited to underground utilities, paving and landscaping.

3. Project will be registered, designed and constructed to meet the requirements of the CHPS “Designed” Program.

4. Architect will be submitting project to DSA on February 4, 2021. Projected DSA approval is projected to be before the end of May 2021 (approximate duration of 4 months).

5. Construction is scheduled to commence in mid-July 2021 and projected to be completed by mid-September 2022 (approximate duration of 14 months).

B. BASIC SERVICES

The Consultant shall agree to provide the Services described below:

1. The Consultant shall be responsible for the professional quality and technical accuracy of all reports, drawings, recommendations and other services furnished by the Consultant under the Agreement as well as design and existing conditions coordination. The Consultant shall, without additional compensation, correct or revise any errors or omissions in its report, drawings, recommendations and other services.

2. The Consultant will use all due care and diligence to confirm that its reports, drawings, recommendations and all other information provided by or on behalf of the District to potential bidders discloses and publishes any potentially relevant information that could, in any way, have an impact on a Contractor's cost of performance. The Consultant shall advise the District of the most effective methods of identifying and securing such information as part of each stage of design. The Consultant shall track for District's benefit all such suggested and disclosed information.

3. District Standards. The Consultant shall incorporate into its work and the work of all Sub-consultants the District Standards for facilities and construction at such time as they are adopted.

4. Mandatory Assistance. If a third party dispute or litigation, or both, arises out of, or relates in any way to the Services provided under this Agreement, upon the District's request, the Consultant, its agents, officers, and employees agree to assist in resolving the dispute or litigation. The Consultant's assistance includes, but is not limited to, providing professional consultations, attending mediations, arbitrations,
depositions, trials or any event related to the dispute resolution and/or litigation ("Mandatory Assistance").

C. GENERAL STATEMENT OF WORK:

The District is requesting Proposals for the Claremont Middle School Multi-Purpose Building Project that provide the Prerequisite Scope for CHPS Fundamental and Title 24 Commissioning.

Intent - Fundamental Commissioning and Verification (Prerequisite Scope)

To support the design, construction, and eventual operation of a project that meets the owner’s project requirements for energy, water, indoor environmental quality, and durability.

Commissioning Authority

By the end of the design development phase, engage a commissioning authority with the following qualifications.

- The commissioning authority (CxA) responsible for commissioning is a licensed architect or engineer with at least two years’ experience in the state when he/she practices (CHPS EE 3.1). The experience must extend from early design phase through at least 10 months of occupancy;
- The CxA may not be an employee of the design or construction firm nor a subcontractor to the construction firm.

Requirements - Commissioning Process Scope

Complete the following commissioning (Cx) process activities for mechanical, electrical, plumbing, and renewable energy systems and assemblies, in accordance with ASHRAE Guideline 0-2019 (Commissioning Process), ASHRAE/IES Standard 202-2018 (Commissioning Process for Buildings and Systems) and ASHRAE Guideline 1.3–2018 (Building Operations and Maintenance Training for the HVAC&R Commissioning Process), as they relate to energy, water, indoor environmental quality, and durability.

For all new buildings, comply with Title 24 Section 120.8. Comply with Title 24, Part 1, Chapter 10, Section 10-103 for acceptance testing. For all projects, all of the fundamental best practice commissioning procedures must be implemented (CHPS EE 3.0).

Engage an independent, third-party commissioning agent (CHPS EE 3.1). The commissioning agent will be responsible for commissioning the following critical building systems (CHPS EE 3.0):

Plumbing Systems:
- Flow control devices
- Pumping systems
- Domestic hot water systems
- Graywater systems (if applicable)

Mechanical Systems:
- HVAC systems (such as hot water systems, chilled water systems, central air systems, ventilation systems as applicable)
- Energy Management Systems (EMS)
Electrical Systems:
- Lighting systems and lighting controls (daylight, occupancy, timing switches, etc.)

The Prerequisite Commissioning Scope of Services (CHPS EE 3.0) shall include:
- Review Owners Project Requirements (OPR (formerly known as Design Intent documentation)) and Basis of Design (BOD) documentation.
- Conduct a focused review of the design prior to the Construction Documents (CDs) Phase.
- Perform and deliver a focused review of the CDs when close to completion. Include commissioning requirements in the CDs. CxA shall provide project specifications to be incorporated into the Project Manual. These specifications shall incorporate at a minimum:
  - 01 9113 General Commissioning Equipment
  - 23 0800 Commissioning for Plumbing HVAC
  - 23 0900 Instrumentation and Controls for HVAC
  - 26 0800 Commissioning of Electrical Systems
- Develop and utilize a commissioning plan.
- Conduct a selective review of contractor submittals of commissioned equipment.
- Verify installation, functional performance testing (including off-season testing), training, and operations and maintenance documentation. A minimum 20% sampling strategy for testing terminal units and repetitive units is permissible. All major systems must be tested.
- Participate in training of facility staff in accordance with the training plan (OM 1.0).
- Complete a Commissioning Report.
- Conduct a 10-month warranty, post-occupancy review.

**Current Facilities Requirements and Operations and Maintenance Plan**

Prepare and maintain a current facilities requirements and operations and maintenance plan that contains the information necessary to operate the building efficiently. The plan must address the preventive and routine maintenance needed. The plan should clearly define who is responsible for performing the task, as well as the overall management of maintenance activities. The plan must include the following:

- A sequence of operations for the building;
- The building occupancy schedule;
- Equipment run-time schedules;
- Setpoints for all HVAC equipment;
- Set lighting levels throughout the building;
- Minimum outside air requirements;
- Any changes in schedules or setpoints for different seasons, days of the week, and times of day;
- A systems narrative describing the mechanical and electrical systems and equipment;
- A preventive maintenance plan for building equipment described in the systems narrative; and
- A commissioning program that includes periodic commissioning requirements, ongoing commissioning tasks, and continuous tasks for critical facilities.
- The CxA may not be an employee of the design or construction firm nor a subcontractor to the construction firm.
D. LIMITATIONS

This RFQ/P is not an offer by the District to contract with any party responding to this RFQ/P. The District reserves the right to add additional prequalified Respondents for consideration after distribution of this RFQ/P if it is found to be in the best interest of the District. All decisions concerning the selection will be made in the best interests of the District. The awarding of the contract pursuant to this RFQ/P, if at all, is at the sole discretion of the District.

The District makes no representation that participation in the RFQ/P process will lead to an award of contract or any consideration whatsoever. The District shall in no event be responsible for the cost of preparing any RFQ/P Packet in response to this RFQ/P. RFQ/P Packets and any other supporting materials submitted to the District in response to this RFQ/P will not be returned and will become the property of the District unless portions of the materials are designated as proprietary at the time of submittal, and are specifically requested to be returned. Vague designations and/or blanket statements regarding entire pages or documents are insufficient and will not bind the District to protect the designated matter from disclosure. Pursuant to Michaelis, Montanari, & Johnson v. Superior Court (2006) 38 Cal.4th 1065, RFQ/P Packets shall be held confidential by the District and shall not be subject to disclosure under the California Public Records Act until after either: (1) the District and the successful Respondent have completed negotiations and entered into an Agreement, or (2) the District has rejected all Proposals. Furthermore, the District will have no liability to the Respondent or other party as a result of any public disclosure of any RFQ/P Packet.

E. RESTRICTIONS ON LOBBYING AND CONTACTS

From the period beginning on the date of the issuance of this RFQ/P and ending on the date of the award of the contract, no person, or entity submitting in response to this RFQ/P, nor any officer, employee, representative, agent, or consultant representing such a person or entity shall contact through any means or engage in any discussion regarding this RFQ/P, the evaluation or selection process/or the award of the contract with any member of the District, Governing Board, selection members, or any member of the Citizens’ Oversight Committee. Any such contact shall be grounds for the disqualification of the Respondent submitting a RFQ/P Packet.

F. STATEMENT OF QUALIFICATIONS

1. General Information / Instructions - Statement of Qualifications

   1.1. The District is inviting Statements of Qualifications for the “Project” which shall require coordination, administration, consulting and advice, and related services.

   1.2. The District seeks to identify teams with a record of excellence in efficient planning and project delivery.

   1.3. The Statement of Qualifications must contain all requested information about the firm and must be on no larger than 8 1/2 x 11 paper and no more than fifteen (15) printed pages. The 15 page limit (as if printed single sided) shall address Sections 2.1 thru 2.4 below. Statement of Qualifications should be complete and prepared to provide an insightful, straightforward, and concise overview of the capabilities of firm.
2. Content – Statement of Qualifications

2.1. Letter of Interest - A dated Letter of Interest must be submitted, including the legal name of the firm(s), address, telephone and fax numbers, and the name, title, and signature of the person(s) authorized to submit the Statement of Qualifications 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 its sub-consultants, and what will make the firm a good fit for work in the District. The letter shall also include the following statements:

“[RESPONDENT’S NAME] received a copy of the District’s Agreement attached as EXHIBIT A to the RFQ/P. [RESPONDENT’S NAME] has reviewed the indemnity provisions in EXHIBIT A and insurance requirements contained in the Agreement. If given the opportunity to contract with the District, [RESPONDENT’S NAME] has no objections to the use of the Agreement.”

Respondent shall certify that no official or employee of the District, nor any business entity in which an official of the District has an interest, has been employed or retained to solicit or assist in the procuring of the resulting contract(s), nor that any such person will be employed in the performance of any/all contract(s) without immediate divulgence of this fact to the District.

2.2. Table of Contents - A table of contents of the material contained in the Statement of Qualifications should follow the Letter of Interest.

2.3. Executive Summary - The Executive Summary should contain an outline of firm’s approach, along with a brief summary of firm’s qualifications. Firms interested in being considered for the Claremont Middle School Multi-Purpose Building Project shall clearly indicate that interest and provide a detailed fee proposal.

2.4. Firm Information

Narrative - Provide a comprehensive narrative of the services offered by firm. The narrative should include all of the following:

2.4.1. Provide a brief history of firm, team firms, 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.

2.4.2. Describe firm’s philosophy and how it will work with District administration officials, community partners and district facilities staff.

2.4.3. Discuss the firm’s/team’s ability to meet schedules for comparable projects, firm’s schedule management procedures, and how the firm has successfully handled potential agency approval delays.

2.4.4. Identify school district and relevant building type projects performed by firm in the past three (3) years. Limit response to no more than the twenty (20) most recent projects. Please include the following information for each project:

2.4.4.1. Name of project and client,
2.4.4.2. Scope of projects, description of services provided,
2.4.4.3. Contact person, telephone number and email address,
2.4.4.4. Firm person in charge of each project,
2.4.4.5. Construction dollar value of each project,
2.4.4.6. All litigation arising from the project, if any. State the issues in
the litigation, the status of litigation, names of parties, and
outcome.

2.5. **Additional Data** - Provide additional information about the firm as it may relate
to the Statement of Qualifications. These may include detailed resumes, letters
of reference or testimonials. Indicate ongoing commitment to professional
education of staff, total number of permanent employees, and any other data
that may assist the District in understanding firm’s qualifications, capacity and/or
expertise. This additional data shall be in an Appendix and will not be counted in
the fifteen page SOQ limit.

2.6. **Professional Fees**

Firms interested in being considered for the Claremont Middle School Multi-
Purpose Building Project shall clearly indicate that interest and provide a detailed
lump sum fee proposal by phases of services.

Provide a detailed schedule of the Consultant’s and Sub-consultant’s hourly billing
rates and a breakdown of associated costs for all tasks proposed (including
contingency costs per task).

3. **Local, Small Local and Small Local Resident Business Enterprise Program**

The Local Business Utilization Policy requires that there is a mandatory fifty percent
(50%) LBU participation with a 25% or less Local Business (LBE) participation and a
25% or more Small Local or Small Local Resident Business (SLBE/SLRBE) participation.
Submit a detailed description of the team’s L/SL/SLRBE composition clearly indicating
the name of the firms and percentages of participation on the following form ("Local
Business Participation Worksheet").
### LOCAL BUSINESS PARTICIPATION WORKSHEET

Prime Consultant:
RFQ/P: Claremont Middle School Multi-Purpose Building & Kitchen Project

Date:

<table>
<thead>
<tr>
<th>Team Member</th>
<th>Projected Percent of Total Fee Per Team Member</th>
<th>LBE %</th>
<th>SLBB %</th>
<th>SLBR %</th>
<th>City of Oakland Certification Number</th>
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**TOTAL PARTICIPATION**

Approval – LBU Compliance Officer
G. **District’s Evaluation / Selection Process – Statement of Qualifications**

1. Submittals will be reviewed for responsiveness and evaluated pursuant to established objective criteria, with particular attention to, without limitation, each respondent’s qualifications, demonstrated competence in like construction, and the Firm’s ability to integrate its personnel with the District’s staff and consultants.

2. After the submittals are evaluated and/or ranked, the District, at its sole discretion, may elect to interview the top Firm(s). The District may elect to interview one or more Firms. Interviews are tentatively scheduled as indicated above. Any firm(s) selected for interviews must make available for interview the key personnel it intends to assign to the District’s Project(s). Any comments or objections to the form of Agreement attached hereto as **EXHIBIT A** to this RFQ/P shall be provided in writing before the interview and may be the subject of inquiry at the interview. Any comments or objections to the form of Agreement not provided in writing before the interview will not be entertained by the District. Adequate time will be allowed for presentation of qualifications followed by questions and answers.

3. **District Investigations** - The District may check references, and may perform investigations of firm that extend beyond the information in the proposals. The District may conduct interviews of firms.

H. **Final Determination And Award**

The District reserves the right to contract with any entity responding to this RFQ/P, to reject any proposal as non-responsive, and not to contract with any firm for the services described herein. The District reserves the right to seek proposals from or to contract with any firm not participating in this process. The District reserves the right to reject any or all submissions, to request further information, to negotiate with any firm, to extend the submission deadline, or to amend or cancel in part or in its entirety this RFQ/P. This RFQ/P does not commit the District to award a contract or to reimburse any firm for costs incurred in submitting a proposal.

The awarding of contract(s) is at the sole discretion of the District. The District may, at its option, determine to award contracts only for portions of the scope of work. In such case, the successful proposing firm will be given the option not to agree to enter into the Agreement and the District will retain the right to negotiate with any other proposing firm selected as a finalist. If no finalist is willing to enter into a contract for the reduced scope of work, the District will retain the right to enter into negotiations with any other Respondent responding to this RFQ/P.

The RFQ/P packet, and any other supporting materials submitted to the District in response to this RFQ/P will not be returned and will become the property of the District unless portions of the materials are designated as proprietary at the time of submittal, and are specifically requested to be returned. This RFQ/P does not commit the District to negotiate an agreement with any proposing firm or individual.

END OF RFQ/P