

**REQUEST FOR
STATEMENTS OF QUALIFICATIONS
AND
PROPOSALS**

for the
DESIGN & CONSTRUCTION
of

ALLCOVE BEACH CITIES

1272 Beryl Street, Redondo Beach, CA 90277

BEACH CITIES HEALTH DISTRICT

UNDER THE AUTHORITY GRANTED BY SB 706
PUBLIC CONTRACT CODE sections 22185 et seq.

Progressive Design-Build Procurement

Best Value Selection Process
FEBRUARY 28, 2024



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- EXHIBIT A2** – SPECIFICATIONS AND DESIGN CRITERIA
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- EXHIBIT C7-2** – EIR MITIGATION MONITORING AND REPORTING PROGRAM FOR HLC
- EXHIBIT D** – GRANT FUNDING AGREEMENT AND REQUIREMENTS
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RFQ/P TIMELINE

Release of RFQ/P-----	February 28, 2024
Mandatory Pre-Proposal Conference & Site Walk -----	March 5, 2024, 1 PM
Final Day for Questions -----	March 20,2024
Final Day for Addenda-----	March 25, 2024
SOQ/Proposal Due Date -----	March 29, 2024, 5 PM
Shortlist Established -----	April 9, 2024
Final Interviews -----	April 15-16, 2024
Final Selection -----	April 17, 2024
Board Approval of Award & Contract-----	April 24, 2024

PROPOSED PROJECT TIMELINE

Design & Preconstruction Notice to Proceed -----	May 1, 2024
Final Design (Site) -----	May 2024 to September 2024
Final Design (Building)-----	May 2024 to September 2024
Guaranteed Maximum Final Pricing-----	September 2024 to October 2024
City Agency Approvals (Sitework) -----	August 2024 to October 2024
State Agency Approvals (Building) -----	August 2024 to October 2024
Modular Fabrications (Off Site) -----	October 2024 to March 2025
Construction Phase (Site Scope)-----	October 2024 to August 2025
Building Assembly & Final Fit Outs -----	March 2025 to August 2025

PROJECT DESCRIPTION AND GENERAL PROVISIONS

A. INTRODUCTION

Beach Cities Health District is seeking Statements of Qualifications (SOQ) and price proposals (Proposal) from Progressive Design-Build Entities (Proposers) to provide design, preconstruction and construction services for the allcove Beach Cities project. The District intends to select a qualified Design-Build Entity that will be responsible for assembling a team consisting of a general contractor, modular building firm, architect, engineers and other subconsultants and key team members.

B. ALLCOVE BEACH CITIES PROJECT MISSION STATEMENT

Create a healthy and sustainable center of excellence that encourages innovation and emerging technologies, demonstrates the “space as therapy,” and prioritizes inclusivity and accessibility for young people utilizing allcove Beach Cities. The allcove model is a network of integrated youth mental health centers designed with, by, and for youth that reduces stigma, embraces mental wellness, increases community connection, and provides access to culturally-responsive services.

C. PROJECT LOCATION: 1272 Beryl Street, Redondo Beach, CA 90277

D. PROJECT SCOPE OF WORK

Project includes a new youth wellness center “allcove Beach Cities” building that will provide young people ages 12-25 from the Greater South Bay with clinical services including mental health, physical health, substance use prevention, as well as supported education and employment, and peer and family support —on their own terms. This new 9,400 square foot modular building will be two stories and will include offices, conference facilities, open lounge space and group chat rooms. Project site scope of work includes utilities, grading, paving, retaining wall, landscaping, vehicle charging stations, site lighting and other site development items, as per current preliminary design documents.

E. RFQ/P DOCUMENTS

The RFQ/P documents will be available beginning on February 28, 2024 and will be posted on the District’s website at <https://www.bchd.org/rfq>. Proposers may view the RFQ/P and contract documents online and download the documents at no cost. Proposers planning to submit a Statement of Qualifications (SOQ) and Proposal must register with the District in order to be placed on the “Plan Holders List” to receive notifications of addenda and changes to RFQ/P timeline. The registration form is available at: <https://www.bchd.org/rfq>

F. SUBMISSION OF SOQ AND PROPOSAL

Proposers must enclose one hard copy of their SOQ and Proposal and provide electronic files.

The SOQ and Proposal and thumb drives may be mailed, hand delivered, or delivered by courier or package delivery service, so long as it is received by the District no later than the deadline for submission.

Statement of Qualifications must be submitted in a separate envelope from the Proposal (two sealed envelopes); type or print on the envelope "Statement of Qualifications for allcove Beach Cities" and "Proposal for allcove Beach Cities." Electronic copies must also be provided in two separate thumb drives.

Deliver to:

Beach Cities Health District
1200 Del Amo Street
Redondo Beach, CA 90277
Attention: Monica Suua, CFO

G. GRANT FUNDING / PROJECT BUDGET

The GRANT Funded budget for this Project is \$7,300,000.

H. FORM OF CONTRACT / DELIVERY METHOD

The selected Design-Build Entity (DBE) will enter into a single Design-Build Contract. The contract, however, will include two phases: "Phase 1" will include a fixed price for Design and Preconstruction Technical Services. "Phase 2" will be a Guaranteed Maximum Price (GMP) to provide Construction Services. There will be two separate Notice to Proceeds (NTP) for each phase. Phase 2 will not be released until a Guaranteed Maximum Price (GMP) for Phase 2 is finalized at end of the preconstruction/design phase. The mutually agreed upon construction cost will be incorporated into the final construction contract amendment for the work.

The District is not obligated to proceed with Phase 2 Construction Services nor is the District obligated to proceed to the Phase 2 Construction Services Phase with the selected DBE. If the District and the DBE are unable to agree upon a Phase 2 GMP, the Project schedule, work product, and electronic files become property of the District and the DBE documents and work product may be used by the District in any manner, including use for construction services with a different DBE or Contractor.

District acknowledges that notwithstanding the District's ownership rights to the construction documents, the Design Professional shall retain ownership of copyright rights, if any, in and to the construction documents, provided that the Design Professional shall be deemed to have granted the District a perpetual license to use the construction documents for completion of, or alterations, additions, renovations or other modifications to, the Project. In addition, the District may use any portion of the Design Professional's work product, including instruments of service (whether completed or in progress) for any purpose.

This Project is subject to and shall be performed under a Project Labor Agreement (PLA) between the selected Contractor and the Building and Construction Trades and affiliated local unions. The Project is also subject to and shall be performed using a Skilled and Trained Workforce. The form of PLA is provided as Exhibit "F" to this RFQ/P.

I. RESTRICTIONS ON LOBBYING AND CONTRACTS

Beginning with the date of issuance of this RFQ/P and concluding on the date of execution of the DBE contract for the Project, no person or entity submitting a response to this RFQ/P, nor any person, officer, employee, consultant, agent, or representative of the same shall through any means contact any employee of the District, any Board of Directors member, any consultant for the District, or any member of any District-appointed committee to engage in any discussion regarding (1) this RFQ/P or the underlying services or work, (2) the selection process or (3) award of this contract. Any such contact shall be grounds for the immediate disqualification of the Proposer without consideration of its submittal.

J. CONTRACTOR LICENSE REQUIREMENTS

In accordance with the provisions of Public Contract Code section 3300, the District has determined that the Contractor performing the work of this Project must hold a Class B – General Building Contractor license. Any contractor performing any of the following specialty trades must hold the required specialty license. Failure to possess the specified specialty license shall bar the contractor from performing this portion of the work. No construction contract will be awarded to a DBE that is not licensed in accordance with the Contractor’s State License Law, and Business and Professional Code sections 7000 et seq.

- C-7 Low Voltage System
- C-10 Electrical
- C-16 Fire Protection
- C-20 Warm-Air Heating and Air Conditioning
- C-36 Plumbing
- C- 39 Roofing

K. DESIGN PROFESSIONAL LICENSES

In accordance with the provisions of California Business & Professions Code 5500 et seq. Architectural drawings must be stamped and signed by a California Registered Architect (RA and California registered Landscape Architect) in accordance with the provisions of California Business & Professions Code 5615 et seq. The following engineering drawings must also be signed and stamped by a California licensed Professional Engineer (PE) in accordance with the provisions of California Business & Professions Code 6700 et seq.

- Civil Engineer
- Structural Engineer
- Mechanical Engineering
- Electrical Engineering
- Fire Alarm System
- Fire Sprinkler System
- Irrigation System
- Low Voltage Systems

L. DEFINITIONS

1. **“Best Value Based Selection”** means a procurement process for the selection of a design-build entity for professional design and construction services for public projects. It is a competitive process whereby DBEs submit qualifications to the District who evaluates using objective criteria and selects the successful firm based on a combination of qualifications and price proposals associated with the work.
2. **“Construction Subcontract”** means each subcontract awarded by the DBE to a subcontractor that will perform work or labor or render service to the DBE in or about the construction of the work or improvement, or a subcontractor licensed by the State of California that, under subcontract to the DBE, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications produced by the Design-Build Team.
3. **“Contractor”** refers to the licensed general contractor DBE team member that is responsible for successful completion of all preconstruction and construction work.
4. **“Days”** mean calendar days, unless otherwise stated.
5. **“Design-Build Entity”** (DBE) means a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design build contract.
6. **“Design-Build Team”** means the design-build entity itself and members of its complete design-build team of general contractor, architect, engineers, subconsultants, modular building manufacturer and key trade contractors.
7. **“Design Professional”** (an inclusive term for all licensed building professionals). “Architect of Record,” and/or “Engineer of Record” all refer to the Project’s architect(s) and/or engineer(s), whose responsibilities generally include programming, design, code compliance and detailing of the facility. These entities also operate under legal definitions of the State of California with statutory liability and responsibility.
8. **“District”** refers to the Beach Cities Health District.
9. **“Guaranteed Maximum Price”** (GMP) means the maximum payment amount agreed upon by the District and the DBE for the DBE to finish all remaining design, preconstruction, and construction activities sufficient to complete and close out the Project.
10. **“Owner’s Design Criteria/Bridging Documents”** (Criteria/Bridging Documents) is a written document and drawings that define the specific quality, performance, sustainability objectives and functional requirements of the Project.
11. **“Progressive Design-Build”** (PDB) refers to the construction project delivery method in which, among others, the District holds a single contract with a business entity that has responsibility both to design and construct a project, and that holds the trade contracts.
12. **“Project”** refers to the District’s allcove Beach Cities project located at 1272 Beryl Street, Redondo Beach, CA 90277.

13. **“Proposer”** is an entity or individual submitting an SOQ and Proposal for this RFQ/P.
14. **“RFQ/P”** refers to this Request for Statements of Qualifications and Proposals, together with exhibits, attachments and addenda.
15. The **“Work”** means all work performed under this Agreement.
16. Wherever the terms “shall,” “will,” or “is required” are used in this RFQ/P, the referenced task is a mandatory requirement of this RFQ/P. Failure to meet any mandatory requirement will be cause for rejection of a submittal.
17. Wherever the terms “can,” “may,” or “should” are used in this RFQ/P, the referenced specification is discretionary, and therefore failure to provide any items so termed will not be cause for rejection. The Selection Committee may consider such failure in evaluating the submittal.

M. DESIGN-BUILD ENTITY EVALUATION AND SELECTION PROCESS

The selection of the Design-Build Entity for this Project will consist of Best Value scored evaluation process consisting of three (3) steps:

- Step 1A - Statement of Qualifications
- Step 1B - Proposal
- Step 2 - Presentation/Interview Phase

Only those with the highest combined overall scores after Steps 1A & 1B (up to five at the District’s discretion) will be short listed to participate in the final Step 2 Presentation/Interview Phase. The short-listed finalists (maximum of five) will be notified and invited to attend a Presentation/In-person interview at the Owner’s offices in Redondo Beach. Date/Time to be determined.

Step 1A (40% of Total): Design-Build Team Statement of Qualifications (SOQ) scoring is based on the following:

- A. Project Approach
- B. Organization Information
- C. Proposed Team
- D. Commitment to Incorporating Feedback from Young People served by allcove Beach Cities
- E. Design-Build Experience
- F. Modular Construction Experience
- G. Design Team’s Qualifications
- H. Acceptable Safety Record
- I. Sustainability/Green Building Experience
- J. GMP Development Plan
- K. Experience Within Southern California
- L. PLA/Skilled and Trained Workforce Experience/Commitment
- M. Claims/Litigation Record

- N. Financial Stability Statement
- O. Past Projects/References
- P. Unique Qualifications

Step 1B (30% of Total): Representative Pricing evaluations based on the following fee proposals:

(Weighted Score based on pricing of each item relative to other Proposals).

- A. Preconstruction Services Fee Proposal
- B. Design Fee (Building & Site Work)
- C. % Overhead
- D. % Profit
- E. Construction Phase General Conditions Extension (Per Diem Rate)

Step 2 (30% of Total): Presentation/Final Interview (Short-Listed Firms Only)

- A. Understanding of the scope of the Project
- B. Presentation of qualifications and experience of team members
- C. Approach to providing the desired services
- D. Commitment to incorporating feedback from young people served by allcove Beach Cities
- E. Thoroughness of response and quality of presentation
- F. Strength of examples of representative projects
- G. Responses to Q&A

N. PROPOSER'S RESPONSIBILITIES AND SCOPE OF SERVICES

The successful DBE will be required to design and construct the Project in accordance with the Design Criteria/Bridging Documents. The final design must also reflect the cost and schedule goals defined in this RFQ/P. The DBE shall work in collaboration and cooperation with the District, and the District's Project Team towards realizing the cost and schedule goals. The delivery of the Project within the Project's construction duration and within the GMP price established at the end of preconstruction/design phase will be the responsibility of the DBE.

O. AVAILABILITY OF RFQ/P DOCUMENTS

The RFQ/P documents are available to all interested parties by downloading at <http://www.BCHD.org/rfq>. All costs associated with obtaining or distributing the RFQ/P documents, and subsequent addenda (if any), are the responsibility of the Proposer.

P. QUESTIONS

Questions concerning this RFQ/P must be submitted by email by the Final Day for Questions as set forth in the RFQ/P Timeline. Address all questions to:

Monica Suua, Chief Financial Officer, at Monica.Suua@BCHD.org
with a reference in the subject line: allcove RFQ/P Question

Q. MANDATORY PRE-PROPOSAL CONFERENCE AND SITE WALK

A mandatory Pre-Proposal Conference and Site Walk for all Proposers will be conducted at the date/time listed in the RFQ/P Timeline. Proposers are to meet at [514 North Prospect Ave., Redondo Beach CA, 90277 - Main Lobby](#). Project specifics, details and questions will be discussed. An authorized representative for the DBE shall attend. ALL attendees are required to sign in to the event or will NOT be allowed to submit an SOQ and Proposal for this Project.

STATEMENT OF QUALIFICATIONS (SOQ)

By the date and time set forth in RFQ/P Timeline, the following items shall be submitted (in the order listed herein) in response to this RFQ/P.

TITLE PAGE: Please include a title page.

COVER LETTER:

The cover letter shall include an executive summary of the Project, not exceeding two (2) pages, and shall include designation of an individual (with email address) as the authorized representative for the Proposer. The DBE and its general partners or joint venture members must certify that the information is provided under penalty of perjury in accordance with Public Contract Code section 22185.3(a)(5). The cover letter shall acknowledge receipt and review of all addenda (if any).

The proposing entity must affirmatively state that there are no known conflicts of interest or must disclose any potential conflict of interest involving any District employee, consultant, or member of the Board of Directors. Subsequent discovery of an undisclosed actual conflict of interest shall be adequate ground for the District to reject this response or to terminate the agreement for cause. By submitting a response, the submitting entity consents to termination for cause in the event that an undisclosed actual conflict of interest is discovered. ***Failure to include this statement in the cover letter will be grounds for immediate disqualification of the submitting entity without consideration of its submittal.***

TABLE OF CONTENTS: A table of contents shall be provided in the following order:

SOQ: Provide the following information:

A. PROJECT APPROACH

Proposers should explain how they will manage the design and construction of the Project in response to any unique aspects of the Project. Proposer should address design phase, agency reviews, GMP development plan, constructability challenges with modular construction coordination, noise and dust control, information on communications, on-site storage, staging, management of subcontractors, etc.

B. ORGANIZATION INFORMATION

Provide information about your firm, and what makes your team uniquely qualified for this Project and how your team will be organized. If the Proposer is a corporation, limited liability company, partnership, joint venture, or other legal entity, attach a copy of the organizational documents or agreement committing to form the organization. If the Proposer is a privately held corporation, limited liability company, partnership, or joint venture, provide a listing of all of the entity's shareholders, partners, or members known at this time who will perform work on the Project.

C. PROPOSED TEAM

Provide resumes for Principals, Project Manager, Superintendent, and other key staff members proposed for this Project as part of your team. Describe what makes each team member well suited for this Project.

D. YOUNG PEOPLE INPUT: Commitment to incorporating feedback from young people served by allcove Beach Cities. At the forefront of what makes allcove centers unique is the commitment to ensuring that youth voice and choice is incorporated in all decision-making, led by a 20-member allcove Youth Advisory Group. Describe how the Project team will enlist feedback from this group of youth leaders.

E. DESIGN-BUILD EXPERIENCE

Provide information on your firm's experience on other Design-Build projects with a focus on Progressive Design Build and/or on other projects.

F. MODULAR CONSTRUCTION EXPERIENCE

Provide information on your firm's experience on other projects that include off-site manufactured modular components and managing and coordinating with a design-build modular building company on other public projects. Provide information on proposed design-build modular company.

G. DESIGN TEAM'S QUALIFICATIONS

Provide information regarding your Design Team. List consultants and team members who will be finalizing the site drawings. Identify preferred consultants for civil, structural, mechanical, plumbing, electrical, fire alarm, fire sprinkler, irrigation, and low voltage. Provide information on your team's experience with working with a city or government entity for plan check review. Some on-site work for the modular building such as fire alarm and low voltage will also be submitted to the City for review. Engineers and Architects must be currently licensed in the State of California.

H. ACCEPTABLE SAFETY RECORD

Provide information on the Contractor's safety program and track record in preventing injury and illness at job sites. A Proposer's safety record shall be deemed acceptable if its experience modification rate for the most recent three-year period is an average of 1.00 or less, and its average total recordable injury or illness rate and average lost work rate for the most recent three-year period does not exceed the applicable statistical standards for its business category or if the Proposer is a party to an alternative dispute resolution system as provided for in Labor Code section 3201.5.

I. SUSTAINABILITY/GREEN BUILDING EXPERIENCE

Provide information on your Team's experience with sustainability / green building goals and standards. Describe how your Team can achieve the District's sustainability goals as described in **Exhibit B** of the RFP both from a design and construction perspective.

J. GMP DEVELOPMENT PLAN

Provide any information on how your firm will provide a Guaranteed Maximum Price for construction scope. Describe how the work will be packaged for the trade contractors and how the modular scope and on-site scope will be coordinated. The GMP amount will be included as a Contract Amendment confirming the maximum compensable cost and the construction completion date.

GMP costs will be presented to the District as “open book” pricing that describes all costs in detail and provides trade bid tabulations, material quotes, and all other supporting documentation.

The GMP provided by the DBE to the District shall include at minimum:

- Completed Plans and Specifications
- Schedule of Values
- List of Designated Trade Contractors
- Trade Bid Tabulations*
- Detailed Proposal for General Conditions and General Requirements
- Qualifications, Exclusions, and Assumptions
- Payment and Performance Bonds
- Insurance (minimum requirements are set forth in Grant Funding Agreement and Requirements (**Exhibit D**), to be determined by the District).

All Construction Subcontracts with a value of more than one-half of one percent (0.05%) of the total construction value must be awarded pursuant to the provisions of the “Subletting and Subcontracting Fair Practices Act” Public Contract Code sections 4100, et seq.

K. EXPERIENCE WITHIN SOUTHERN CALIFORNIA

Provide information on your firm’s location and work history. Highlight any work within Southern California. Provide information on your knowledge and experience working with local unions and trade contractors.

L. PLA /SKILLED AND TRAINED WORKFORCE EXPERIENCE AND COMMITMENT

Provide experience working under a Project Labor Agreement (Public Contract Code section 2500) and Skilled and Trained Workforce requirements (Public Contract Code sections 2600 - 2603). Explain how your firm is committed to the PLA and Skilled and Trained Workforce requirements.

M. CLAIMS / LITIGATION RECORD

Provide information on any past (5 years) and current claims or litigation associated with past projects or clients.

N. FINANCIAL STABILITY STATEMENT

Confirm your firm’s ability to provide all required insurance, performance and payment bonds based on your financial status. Provide a reviewed or audited financial statement of the Contractor.

O. PAST PROJECT/REFERENCES

Provide best examples of past projects that are similar to this Project in complexity, scope and challenges. List a minimum of 3 references from past projects. More recent projects (5 years) will be scored higher in this category.

P. UNIQUE QUALIFICATIONS

Provide any information on how your Team is uniquely qualified based on past experiences, local/regional proximity to this site, or team members that make your firm the best choice for this Project.

PRICE PROPOSAL

Proposer under separate envelope will provide a price Proposal for the items listed below. This price Proposal will NOT be provided to the Selection Committee prior to their evaluation of the Statements of Qualifications.

A. PRECONSTRUCTION SERVICES FEE PROPOSAL

Proposer shall provide a fee for staffing and other costs associated with the Project prior to the signing of the GMP Construction Contract Amendment. Provide staffing plan for preconstruction phase based on timeline provide in this RFQ/P. These costs shall include all staffing needed to provide the District with technical services such as project planning, constructability, value engineering, scheduling, estimating and other functions.

ALTERNATE - Preconstruction fee should also include an alternate cost for a scenario in which the District elects to change the sustainability goals from LEED Gold (baseline) to LEED Platinum level. See **Exhibit B**. The alternate cost proposal should include development of bid alternates to trade contractors for added sustainability elements.

Fee proposal should assume the District will request the following deliverables and meetings during preconstruction phase:

- Milestone Estimates/Cost Studies (2)
- Master Schedules/Construction Schedules Updated Regularly
- Constructability/Value Engineering/Risk Assessment
- Coordination with Edison, Cal Water and Other Utility Agencies
- Meetings - City and State Agencies
- Organize Weekly Progress Meetings

B. DESIGN FEE PROPOSAL

Provide Professional Services fee proposal for all remaining design tasks needed for the Project. The proposal should show separate figure for design of Modular Building from the design of the site work. Proposal should also be organized by design milestones and show staffing needed to complete the work in the timeline provided in this RFQ/P.

Fee proposal should list all subconsultants needed for the Project including but not limited to Civil, Structural, Mechanical, Electrical, Fire Alarm, Fire Sprinkler, Irrigation, Signage, and Traffic. Include meetings with Owner, State, City, Southern California Edison, Cal Water Service and other Agencies as needed to achieve plan reviews and permits for the Project. Design fee should also include impacts of **Exhibits C1 & C2** regarding soils management, VOC barrier, venting and other elements associated with existing abandoned oil well at the site.

Design fee should also reflect careful coordination between on site and modular scope to cover all building elements to be reviewed by the City for permitting and installed on-site by trade

contractors. Design fee should also assume Owner/Peer reviews of design documents at 50% and 90% completion milestones.

ALTERNATE - Design fee should also include an alternate cost for a scenario in which the District chooses to change the sustainability goals from LEED Gold (baseline) to LEED Platinum level (See **Exhibit B**). The alternate cost proposal would also include documentation of bid alternates to trade contractors for added sustainability elements.

C. CONTRACTOR'S % OVERHEAD

Contractor's proposed % overhead figure would include Contractor's officers, executives or other supervisory personnel salaries above the level of Project Manager, or other compensation, supervision, administration, accounting in connection with maintaining and operating its home office or other offices other than field office of the Project. The proposed % overhead figure would also include any part of the Contractor's capital expenses, including interest on the Contractor's capital employed for the Work and general expenses of any kind except as may be expressly included elsewhere in direct and indirect costs as per the Contract Documents.

D. CONTRACTOR'S % PROFIT

Provide Contractor's % profit multiplier to be applied to all direct and indirect costs for this Project. Profit is defined as the money the Contractor makes after accounting for all costs and expenses.

E. CONTRACTOR'S GENERAL CONDITIONS RATE (PER DIEM) FOR EXTENDED PROJECT CONSTRUCTION DURATION

Proposer shall provide a Unit Rate (per Diem) for all costs associated with construction duration extended due to actions by the District as per the Contract Documents. This daily rate figure must include all general conditions, general requirements, staffing supervision costs associated with extending work on-site longer than original contract duration.

REQUIRED LEGAL DOCUMENTS AND CONDITIONS

A. REQUIRED FORMS

The following forms must be completed and submitted with the SOQ in the form attached hereto:

1. Non-Collusion Declaration (**Exhibit H**)
2. Iran Contracting Act Certification (**Exhibit I**)
3. Roofing Contract Financial Interest Certification (**Exhibit J**)
4. Agreement to Use a Skilled and Trained Workforce (**Exhibit K**)

B. PUBLIC RECORDS ACT

Responses to this RFQ/P will become the exclusive property of the District and subject to the California Public Records Act, Government Code sections 6250 et seq.

Those elements in each response which are trade secrets as that term is defined in Civil Code section 3426.1, subdivision (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 in any way be liable or responsible for the disclosure of any such records including, without limitation, those so marked, if disclosure is required by law or by a court order. Proposers that indiscriminately identify all or most of their submittal as exempt from disclosure without justification may be deemed nonresponsive.

In the event the District is required to defend an action on a Public Records Act request for any of the contents of a SOQ and Proposal marked confidential, proprietary or trade secret, the Proposer agrees, on submission of its SOQ and Proposal for the District's consideration, to defend and indemnify the District from all costs and expenses, including attorneys' fees, in any action arising under the Public Records Act.

C. DISTRICT RIGHTS

The District may investigate the qualifications of any individual or firm under consideration, require confirmation of information furnished and require additional evidence of qualifications to perform the services described in this RFQ/P. The District also reserves certain rights, including, but not limited to, the following:

- Reject any or all of the responses to the RFQ/P.
- Revise and/or cancel the RFQ/P.
- Conduct more than one Pre-Bid meeting or similar meetings for/with Proposers.
- Question outside entities and District personnel and consultants regarding Proposer's past performance.
- Create evaluation panels and seek the assistance of outside technical experts and consultants or any other source to review, rank and evaluate responses to the RFQ/P.

- Waive minor deficiencies, informalities and irregularities in the responses to the RFQ/P.
- Consider data and experience records maintained by the District for all or some construction projects completed by the Proposer.

D. PREPARATION AND PARTICIPATION COSTS

This RFQ/P shall not, in any manner, be construed to be an obligation on the District to enter into a contract or result in any claim for reimbursement of costs for any efforts expended in responding to the RFQ/P, participating in interviews, or in anticipation of any contract.

E. PROPOSALS VALID

All pricing quoted shall be valid for a period not less than **ninety (90)** days from the submission due date.

F. FILING OF PROTEST

All District procurements shall be conducted in a manner which assures that all prospective contractors are afforded fair and equal consideration in the selection of the successful design build team and award of District contracts in order to preserve and protect the integrity of the procurement process. To that end, any interested party shall have the right to have its complaint considered and resolved administratively by the District in an economical and expeditious manner. "Interested party" means an actual Proposer whose direct economic interest would be affected by the award of a contract or by the failure to award a contract. Subcontractors or suppliers are not an "Interested Party".

All protests shall be filed, handled and resolved in a manner consistent with the District's protest procedures. The protest must set forth, in detail, all grounds for the protest, including all facts, supporting documentation, legal authorities and argument in support of the grounds for the protest; any matters not set forth in the protest shall be deemed waived. All factual contentions must be supported by competent, admissible, and credible evidence and certified under penalty of perjury. The District will respond to each substantive issue raised in the protest. Protests relating to the content of this RFQ/P must be filed within five (5) business days after the release of the RFQ/P and advertisement date. Protests relating to a recommendation for contract award solicited by this RFQ/P must be filed by an Interested Party and authorized executive with the authority to bind the firm within five (5) business days after award is announced.

All protests shall be sent via email to Monica Suua, Chief Financial Officer, at monica.suua@bchd.org with reference "allcove Protest." **No other means of delivery is acceptable.**

The protest shall, at a minimum, contain the following:

- The name and address of the interested party and its relationship to the procurement
- Identification of the proposed procurement or contract

- Substantive description of the nature of the protest (factual and legal basis)
- All documentation supporting the allegations of the protest
- Statement of the specific relief requested
- Identification of the provision(s) of the solicitation, regulations, or laws upon which the protest is based
- Signature of an authorized executive with the authority to bind the company

The Chief Financial Officer or designee shall make a determination on the protest normally within 10 working days from receipt of the protest. The CEO or designee has the authority to make a final determination and the decision shall constitute the District's final administrative remedy.

G. CONFLICT OF INTEREST

The District may not contract with a Proposer if any employee, officer or director of the Proposer's firm, or any immediate family member of the preceding, has served as an elected official, employee, board or commission member of the District who influences the making of the contract. Furthermore, the District may not contract with any proposer whose income, investment or real property interest may be affected by this contract. Proposers are subject to disqualification on the basis of such a conflict of interest as determined by the District.

H. ANTI-DISCRIMINATION

It is the policy of the District that there be no discrimination against any prospective or active employee engaged in the Work because of race, color, ancestry, national origin, religious creed, sex, age or marital status. All Proposers agree to comply with the District's anti-discrimination policy and all applicable Federal and California anti-discrimination laws including but not limited to the California Fair Employment & Housing Act beginning with California Government Code §§12940 et seq. and California Labor Code §1735. In addition, all Proposers agree to require like compliance by any Subcontractor employed by them on the Work of the Contract.

EXHIBIT A1

PRELIMINARY DESIGN DRAWINGS MODULAR BUILDING AND SITE WORK

EXHIBIT A2

SPECIFICATIONS AND DESIGN CRITERIA

EXHIBIT B

PROJECT SUSTAINABILITY GOALS AND ACTION PLAN

EXHIBIT C1
SOILS REPORT

EXHIBIT C2

SOILS MANAGEMENT PLAN

EXHIBIT C3

SOILS MANAGEMENT PLAN APPROVAL BY LA COUNTY FIRE

EXHIBIT C4

CaIGEM OIL WELL REVIEW

EXHIBIT C5

OIL WELL SUMMARY EXHIBITS 4-6

EXHIBIT C6

OIL WELL RESEARCH AND CAPPING DETAILS

EXHIBIT C7-1

HEALTHY LIVING CAMPUS (HLC) MASTER PLAN RESOLUTION

EXHIBIT C7-2

EIR MITIGATION MONITORING AND REPORTING PROGRAM FOR HLC

EXHIBIT D

GRANT FUNDING AGREEMENT AND REQUIREMENTS

EXHIBIT E

PROGRESSIVE DESIGN-BUILD CONTRACT

EXHIBIT F
PROJECT LABOR AGREEMENT

EXHIBIT G1
PERFORMANCE BOND

EXHIBIT G2

LABOR AND MATERIAL PAYMENT BOND

EXHIBIT H

NON-COLLUSION DECLARATION

EXHIBIT I

IRAN CONTRACTING ACT CERTIFICATION

EXHIBIT J

ROOFING CONTRACT FINANCIAL INTEREST CERTIFICATION

EXHIBIT K

AGREEMENT TO USE A SKILLED AND TRAINED WORKFORCE