



**Peralta Community College District**

**RFQ/P No.: 23/24 –01**

**REQUEST FOR QUALIFICATIONS AND PROPOSALS  
INFRASTRUCTURE  
PROGRAM MANAGEMENT SERVICES**

NOTICE IS HEREBY GIVEN that The Board of Trustees of the Peralta Community College District (“District”) through the Department of General Services, and Purchasing, is hereby issuing its Request for Qualifications/Proposal (“RFQ/P”) for the above-mentioned services. The successful vendor will be required to furnish all labor, material, equipment, supplies, applicable taxes, insurance, bonding, and licenses to complete this project.

**I. Request for Qualifications/Proposal**

**A. RFQ/P Information and schedule**

The Peralta Community College District (“District”) is seeking proposals from qualified persons, firms, partnerships, corporations, associations, or professional organizations to provide Infrastructure Program Management Services, District-Wide.

Founded in 1964, the Peralta Community College District (“PCCD” or “District”) is a collaborative community of colleges comprised of Berkeley City College, College of Alameda, Laney College, and Merritt College in Oakland, California. The Peralta Colleges provide a dynamic multicultural learning environment offering accessible, high-quality educational programs and services, including two-year degrees, certificates, and university transfer programs, to more than 30,000 students.

The District reserves the right to change the dates on the schedule without prior notice.

| <b>Date</b>               | <b>Event</b>                                      |
|---------------------------|---|
| July 21, 2023             | Release of RFQ/RFP                                |
| July 31, 2023, 11:00 A.M. | <b>Mandatory</b> Pre-Proposal Meeting             |
| August 2, 2023, 4:00 P.M. | Deadline for submitting written questions (RFI)   |
| August 4, 2023, 4:00 P.M. | Deadline for District answering written questions |
| August 9, 2023, 4:00 P.M  | Deadline for Submitting Qualifications\Proposals  |
| August 2023               | Board of Trustees Action to Award Contract        |

A **Mandatory** Pre-Proposal Meeting will be held at **11:00am** on **July 31, 2023**, in Conference Room One at the District Department of General Services, 333 East 8<sup>th</sup> Street, Oakland, CA 94606.

**B. Instructions for Submitting Statement of Qualifications and Proposal**

|                               |   |
|-------------------------------|---|
| <b>Submittal process.</b>     | All RFQ/RFP proposals must be submitted electronically via Vendor Registry: <a href="#">Peralta Community College District Current Solicitations   Vendor Registry</a>  |
| <b>Submittal Requirements</b> | The Statement of Qualifications and Proposal must have the following information <u>clearly marked</u> and visible <ul style="list-style-type: none"> <li>• Request for Qualification/Proposal Number</li> <li>• Name of Your Company</li> <li>• Address</li> <li>• Phone Number</li> </ul> |
| <b>Late Submittals</b>        | <b>Qualifications received after the time and date stated above shall be returned unopened to the vendor.</b>   |

**C. How to Obtain RFQ/P Documents**

Copies of the RFQ/P documents may be obtained at:

| <b>Available</b> | <b>Location</b>   |
|------------------|---|
| <b>Yes</b>       | Website:<br><a href="https://www.peralta.edu/purchasing/documents">https://www.peralta.edu/purchasing/documents</a> |

**D. Questions about the RFQ/P**

Questions and/or Requests for Information (RFI) must be submitted in writing and can be submitted at [Peralta Community College District Current Solicitations | Vendor Registry](#)

|                                 |                      |
|---------------------------------|----------------------|
| <b>District Buyer</b>           | <b>John Hiebert</b>  |
| <b>District Project Manager</b> | <b>Shanova Berry</b> |

|                              |   |
|------------------------------|---|
| <b>Question/RFI Due Date</b> | <b>August 2, 2023 at 4:00 p.m.</b><br>Please submit questions as soon as possible. No questions regarding the specifications will be responded to after the above date. All pertinent questions will be responded to and answered in writing no later than the Response Date listed below.  |
| <b>Response Date</b>         | <b>August 4, 2023 at 4:00 p.m.</b><br>All pertinent questions will be responded to <b>via addendum</b> and placed on the District’s website. Proposer who did not receive a copy of the addendum should download it from the District’s website. See “How to Obtain Qualification Documents” section for our web address. All addendums must be acknowledged on the RFQ/P Acknowledgement and Signature form. |

**E. Limitations**

This RFQ/P is neither a formal request for bids, nor an offer by District to contract with any party responding to this RFQ/P. All decisions regarding selection will be made in the District’s best interests. The contract award pursuant to this RFQ/P, if at all, is at the District’s sole discretion.

District makes no representation that participation in the RFQ/P process will lead to a contract award or any consideration whatsoever. District shall in no event be responsible for the cost of preparing any Submittal in response to this RFQ/P.

Submittals and any other supporting materials submitted to District in response to this RFQ/P will not be returned and will become the property of 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 District to protect the designated matter from disclosure. Pursuant to *Michaelis, Montanari, & Johnson v. Superior Court* (2006) 38 Cal.4th 1065, Submittals shall be held confidential by District and shall not be subject to disclosure under the California Public Records Act until after either: (1) District and the successful Respondent have completed negotiations and entered into an Agreement, or (2) District has rejected all Submittals. Furthermore, District will have no liability to Respondent or other party as a result of any public disclosure of any Submittal.

**F. Full Opportunity**

District hereby affirmatively ensures that all Respondents including, without limitation, Disadvantaged Business Enterprises (“DBE”), Small Local Business Enterprise (“SLBE”), Small Emerging Local Business Enterprise (“SELBE”) and Disabled Veterans Business Enterprise (“DVBE”) firms, shall be afforded full opportunity to submit qualifications in response to this RFQ/P and will not be discriminated against on the basis of actual or perceived race, color, national origin, ancestry, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, immigration status, or association with a person or group with one or more of these actual or perceived characteristics in any

consideration leading to the award of contract.

### **G. 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 District, Governing Board, selection members, or any member of the Citizens' Oversight Committee. Any such contact shall be grounds for the disqualification of Respondent.

#### **Attachments:**

1. Iran Contracting Act Certification – to be completed and submitted
2. Environmentally Sustainable Procurement– to be completed and submitted
3. Certificate Regarding Workers' Compensation– to be completed and submitted
4. Statement of Equal Employment Opportunity– to be completed and submitted
5. Small Local Business Enterprise and Small Emerging Local Business Enterprise Program
6. SLBE/SELBE Self Certification Affidavit– to be completed and submitted
7. Non-Collusion Affidavit – to be completed and submitted
8. RFQ/P Acknowledgement and Signature Form– to be completed and submitted

## **II. Project Overview**

The Peralta Community College District (“District”) is seeking Statement of Qualifications and Proposals from qualified Infrastructure Management Services (Infrastructure Program Management) firms to provide management services to assist the District with its Facilities Infrastructure Program for its campus facilities. The District currently has active infrastructure projects across the District’s administrative office and its four campuses: College of Alameda, Berkeley City College, Laney College and Merritt College.

For over 50 years, the Peralta Community College District has served over one million students from the communities of Albany, Alameda, Berkeley, Emeryville, Oakland, and Piedmont. The District’s annual student enrollment typically exceeds over 30,000 students within its four campuses in northern Alameda County.

The Board of Trustees of the Peralta Community College District reserves the right to accept any or all candidates, to negotiate with any or all responsible candidates, and to waive any informality in the Request for Qualifications/Proposals process. Interested firms shall be responsible for any and all expenses that they may incur in this process.

## **III. Scope of Services**

### **A. General Services**

The selected infrastructure program management services firm (Infrastructure Program Manager) will support the District Office, Department of General Services, and the Capital Projects Building Program with the implementation of the facilities infrastructure program. All services will be on an as-needed basis. The Infrastructure Program Manager, as directed by the Vice Chancellor of General Services, the Director of Capital Projects, and /or the District’s representative will assist the District with services including, but not limited to, the following services:

- 1) 90 Day Projects for Campuses**
- 2) Keyless Entry Project**
- 3) Ventilation Project**
- 4) Fire Alarm Project**

The Infrastructure Program Manager will not provide architectural, engineering or legal services.

The Infrastructure Program Manager will work under the District’s direction.

The selected Infrastructure Program Manager will not perform any design, inspections, or construction work as a general contractor or subcontractor, and shall not be allowed to self-perform any trade work, nor contract with affiliates to perform such work.

The selected Infrastructure Program Manager and its subcontractors must comply with all applicable federal, state and local laws regarding COVID-19, including Vaccination Requirements.

The anticipated Scope of Services is set forth at Exhibit A to the District’s form of Agreement for Infrastructure Program Management (“Agreement”), which is distributed

with this RFQ/P as Appendix A and incorporated herein by this reference. The exact scope of services and final fee, however, will be negotiated with the selected firm and finalized in any resulting contract.

## **B. Minimum Qualifications**

Proposers submitting Statement of Qualifications must meet all of the following qualifications to be considered. Failure to satisfy any one of these qualifications will prevent the District from considering the submitted Statement of Qualifications.

1. **Firm's General Experience:** The infrastructure program management firm should have significant experience providing infrastructure program management consulting services for multiple public and/or private construction programs in the State of California, ranging in size from \$250,000 to \$10 million.
2. **Firm's Relevant Experience:** The infrastructure program management firm should have infrastructure program experience with higher education institutions in northern California, including at least one Community College project.
3. **Ability to Interface with Local Agencies:** The infrastructure program management firm should identify any experience managing projects that required coordination with state and local agencies having jurisdiction of the District's facilities the local planning, zoning, and other approvals, including public presentations to regulatory entities.

## **IV. Submission Requirements**

The District has scheduled a Mandatory Pre-Qualification meeting on the date indicated in the cover page of this RFQ/P, to review the submission requirements.

Please respond to the following submission requirements in a straightforward, concise delineation of your capabilities proposed to satisfy the requirement of the RFQ/P. The District will use your responses to objectively determine your capabilities and experience. Please label your responses in the order presented below.

### **A. Submittal Format**

Responses may not be longer than a maximum of 40 pages (excluding the required attachment forms provided with this RFQ/P), formatted in no smaller than 11-point font. Each section shall be labeled according to the sections below.

### **B. Content**

1. Cover Letter

Provide a letter of introduction signed by an authorized officer of Respondent. If Respondent is a joint venture, duplicate the signature block and have a principal or officer also sign on behalf of each party to the joint venture.

Include in the cover letter all of the following:

- Brief description of why Respondent is well suited for, and can meet, District's needs.
- Identification of individual(s) who are authorized to speak for Respondent during the evaluation process.
- One (1) of the follow statements:

*"[INSERT RESPONDENT'S NAME] received a copy of District's form of Agreement for Infrastructure Program Management Services ("Agreement") attached as Appendix A to the RFQ/P. [INSERT RESPONDENT'S NAME] has reviewed the Agreement, including, without limitation, the indemnity provisions and insurance provisions. If given the opportunity to contract with District, [INSERT RESPONDENT'S NAME] has no objections to the use of the Agreement."*

OR

*"[INSERT RESPONDENT'S NAME] received a copy of District's form of Agreement for Infrastructure Program Management Services ("Agreement") attached as Appendix A to the RFQ/P. [INSERT RESPONDENT'S NAME] has reviewed the Agreement, including, without limitation, the indemnity provisions and insurance provisions. If given the opportunity to contract with District, [INSERT RESPONDENT'S NAME] has objections to the use of the Agreement, all of which are identified in the Appendix to this Submittal."*

- Certification that no official or employee of District, nor any business entity in which an official of 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 District.
- Certification that no official or employee of Respondent has ever been convicted of an ethics violation.
- Evidence that Respondent is legally permitted to conduct business in the State of California and properly licensed (as applicable) for the scope of services.
- Above the signature(s) the following language: *"By virtue of submission, [INSERT RESPONDENT'S NAME] declares that all information provided in the Submittal is true and correct."*

## 2. Company Information/Executive Summary

- Company name.
- Address.
- Telephone.

- Website.
- Name and email of main contact.
- Federal Tax I.D. Number.
- License or Registration Number (if applicable).
- Type of organization (e.g., corporation, partnership, etc.). If a joint venture, describe the division of responsibilities between participating companies, offices (location) that would be the primary participants, and percentage interest of each firm.
- A brief description and history of Respondent, including number of years Respondent has been in business and date established under this name.
- Number of employees.
- Location of office where the bulk of services solicited will be performed.
- State of California certification of Small Business or Disabled Veteran Business Enterprise status, if any.

### 3. Relevant Qualifications

Describe your firm's experience, expertise, and approach in the following areas:

- Technical capabilities for infrastructure program planning, condition assessments, scheduling, budgeting, cost estimating review and reconciliation, document control, and public information websites. Detail your firm's budgeting software and if District staff can inherit and maintain the system once established.
- State and other agencies involved in the planning, design, maintenance and operations and construction process for community colleges and other school projects, in particular, the State Department of Education, the Division of the State Architect, and the California State Chancellor's Office.
- Valuating/reporting on program status to District staff, Board, and the public.
- Flexibility in adapting to the changing needs and priorities of a community college district.
- Infrastructure projects versus Maintenance and Operations projects versus Modernization projects versus capital projects.
- Quality control/assurance procedures, including ability to monitor consultants.
- Sustainability, including Energy Management/Conservation and "Green Buildings," Implementation Plans, Value Engineering, Modular Construction, Facility Design Standards and Master Specifications, and Technology Integration, Planning and Implementation, including data,



public address systems, communication systems, and other low voltage systems used in schools.

- Identify established methods and approaches utilized by your firm to successfully meet completion deadlines and provide examples demonstrating effective use of stated methods and approaches.
- Provide a statement of your firm's work plan including your firm's present workload and number of current projects, and where possible, projected workload for the coming two (2) years, which should include available staff.

#### 4. Relevant Project Experience

Provide information about prior professional services furnished by your firm in the last ten (10) years on a minimum of five (5) community college educational projects, and list the following for each project:

- District name and name of contact person, title, telephone number, and email address to be contacted for a reference.
- Dates for which infrastructure management services were provided.
- Number of buildings, types of facilities, and related information regarding the infrastructure responsibilities.
- Main program elements.
- Briefly state relevance of the project for consideration in this RFQ/P.
- Specify role of firm or individual if work was not exclusively by the firm (i.e., joint venture, association).
- Key individuals of the firm involved and their roles in the project.
- Any sub-consultants that worked with the firm.

#### 5. Proposed Project Team

Identify key team members, including sub-consultants, and state their qualifications relevant to the scope of services and anticipated role in delivering the services. Describe for each his/her/their experience with public school construction projects, including identifying the projects for the past five (5) years.

District expects that the team shall remain intact through the duration of any contract. If a team member must leave, District reserves the right to approve that team member's replacement.

#### 6. Debarment

Provide a statement that your company has not been debarred from providing services to any local, State, or Federal Agency within the last five (5) years. Sign and Date your statement. If your firm has been debarred, you will need to provide background information and reason for the debarment. Provide the name and contact information for the Agency that debarred your firm. The District must review the reason and duration for

the debarment before it can determine if your firm can be considered for this project.

#### 7. Litigation History

Provide a comprehensive five (5)-year summary of Respondent's litigation history (including arbitration and mediation) with previous clients. State the issues in the litigation, the status of the litigation, names of parties, and outcome. A Submittal failing to provide the requested information on litigation history, will be considered non-responsive.

#### 8. Environmentally Sustainable Procurement

The District's policy (Board Policy 2.40, Environmental Sustainability) is to purchase products or services that help to minimize the adverse effects on human health and the environment, when compared to other products and services that serve the same purpose with comparable efficacy. Does your product or service promote the District's Environmentally Sustainable Procurement goal? Please use the attached Environmentally Sustainable Procurement form to describe how your product or service directly meets the District's goal. If your product or service does not directly meet the District's goal, then describe what initiatives your firm has taken to become more environmentally sustainable. The District will evaluate each response, and more points will be awarded to firms who products and services directly meet the District's Environmentally Sustainable Procurement goal.

#### 9. Fee Proposal

Based on the anticipated scope of services, provide detailed fee information that will enable District to evaluate Respondent's pricing and, if selected, facilitate a fee negotiation. At a minimum, include proposed: hourly billing rates by position, staffing plan, and reimbursable schedule.

#### 10. Required Forms

The Vendor must fill out all forms included in the RFQ/P (listed in the attachments section) and return them with your Qualifications/Proposal. Failure of the vendor to provide any information requested in the RFQ/P, may result in rejection for non-responsiveness. (These required forms will not count against the maximum page count for your response.)

**V. Evaluation Criteria and Selection Process**

**A. Evaluation Criteria**

Each Submittal must be complete. Incomplete submittals will be considered nonresponsive and grounds for disqualification. District retains sole discretion to determine issues of compliance and to determine whether a Respondent is responsive, responsible, and qualified. District may elect to conduct interviews with some or all of Respondents.

The criteria for evaluating Respondents may include, without limitation, the following:

- Overall responsiveness of the Submittal;
- Experience and performance history of Respondent with similar services;
- Experience and results of proposed personnel;
- Value of services under proposed fees;
- References from clients; and
- Technical capabilities and track record of use.

The District must be assured that the Respondent (vendor) selected has all of the resources required to successfully perform under the contract. This includes, but is not limited to, personnel with skills required, equipment/materials and financial resources sufficient to provide services called for under this contract. If during the evaluation process, the District is unable to assure itself of the Respondent's ability to perform under the contract, if awarded, the District has the option of requesting from the Respondent, any information that the District deems necessary to determine the responder's capabilities. If such information is required, the Respondent will be notified and will be permitted five (5) working days to submit the requested information.

In evaluating Respondent's qualifications, the District will evaluate a number of factors in combination. Please make sure you have submitted responses to all items listed in the Submission Requirements section, as your responses will be evaluated based on the weights (Points) listed below. District will identify Respondent(s) that can provide the greatest overall benefit to District.

| <b>Item</b> | <b>Criteria</b>   | <b>Points</b> |
|-------------|---|---------------|
| 1           | <u>Qualifications and Experience</u><br>Vendor's knowledge and experience and capacity to provide professional service as evidenced by meeting the District's minimum qualifications, past performance, resources, qualifications and experience, debarment, and from list of key personnel. (Your response to Items 1, 2, 3, and 5 | 70            |
| 2           | <u>Client References</u><br>Your response to item 4 of Submission Requirements section and or results of reference checks.  | 15            |

|   |   |     |
|---|---|-----|
| 3 | <u>Submittal Requirements and Adherence to the Maximum Page Limit</u> Maximum page limit of 28 pages and item 7 of the Submission Requirements item. (Note the required forms do not count against the maximum page limit.) | 5   |
| 4 | <u>Environmentally Sustainable Procurement</u> Does your product or service meet the District's Environmentally Sustainability initiatives? (Item 5 of Submission Requirements  | 5   |
| 5 | <u>SLBE (Only applicable for firms qualifying for the Small Firm's Qualification List)</u> . Does your company meet the District's definition of an SLBE or SELBE?  | 5   |
|   | Total   | 100 |

### B. District Investigations

District may perform investigations of Respondents that extend beyond contacting the references identified in the Submittal. District may request a Respondent submit additional information pertinent to the review process.

### C. Interviews

District, at its sole discretion, may elect to interview one or more Respondents. If a Respondent is requested to come for an interview, the key proposed staff will be expected to attend the interview. **Any proposed changes to the form of Agreement attached hereto as Appendix A shall be provided with the Submittal and may be the subject of inquiry at the interview.**

### D. Selection Procedure:

A technical screening committee comprised of District internal (and possibly external members) with expertise in infrastructure management will initially evaluate and score all submissions according to the evaluation criteria above. Based on these evaluations and reviews, Qualification Lists will be developed for use in future projects.

### E. Final Determination and Award

District reserves the right to contract with any entity responding to this RFQ/P for all or any portion of the services described herein, to reject any Submittal as nonresponsive, and/or not to contract with any Respondent for the services described herein. District makes no representation that participation in the RFQ/P process will lead to an award of contract or any consideration whatsoever. District reserves the right to contract with any person or firm not participating in this process. District shall in no event be responsible for the cost of preparing any Submittal in response to this RFQ/P, including any supporting materials.

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

## **VI. Additional Requirements**

### **1. Cost of Participation in Selection Process**

Costs for developing responses to this RFQ/P are entirely the responsibility of the firm and shall not be chargeable to the District.

### **2. District Rights**

The District reserves the right to waive any irregularities or required formalities or to amend or cancel, in part or entirety, this RFQ/P if it is in the best interest of the District.

### **3. Law Compliance**

The Respondent must comply with all laws, ordinances, regulations, and codes of the Federal, state, and local governments which may in any way affect the preparation of Qualifications/Proposal or the performance of the contract.

### **4. Public Records**

Except for materials exempted from disclosure such as Trade Secrets (as defined in California Civil Code 3426.1) that are specifically marked "Confidential" or "Proprietary", all material submitted in response to this RFQ/P are deemed property of the District and public records upon submission to the District. The District is not liable or responsible for the disclosure of RFQ/P Responses, or portion thereof, deemed to be public records, including those exempt from disclosure if disclosure is by law, by an order Court, or which occurs through inadvertence, mistake or negligence on the part of the District or its agents or representatives. If the District is required to defend or otherwise respond to any action or proceeding wherein request is made for the disclosure of the contents of any portion of a RFQ/P Response deemed exempt from disclosure hereunder, by submitting a response to the RFQ/P, each Respondent agrees to defend, indemnify and hold harmless the District in any action or proceeding from and against any liability, including without limitation attorneys' fees arising there from. The party submitting materials sought by any other party shall be solely responsible for the cost and defense in any action or proceeding seeking to compel disclosure of such materials.

### **5. Qualification Considerations**

District has absolute discretion with regard to acceptance and rejection of Qualifications/Proposals. To be considered the party submitting a Qualification/Proposal waives the right to bring legal proceedings challenging the Board's choice of the award.

### **6. False Statements**

False statements in a Qualification/Proposal will disqualify the Qualification.

### **7. Legal Proceeding Waiver**

The Respondent relationship to District shall be that of independent contractor and not deemed to be agent of the District.

## **8. Taxes**

The Respondent will be responsible for all Federal, State and Local taxes.

## **9. Grade of Service**

The Respondent must provide professional service and maintain appropriate personnel to provide expedient and courteous service.

## **10. Amendments**

The District may, at its sole discretion, issue amendments to this RFQ/P at any time before the time set for receipt of Qualifications/Proposal. Respondents are required to acknowledge receipt of any amendments (addenda) issued to this RFQ/P by acknowledging the Addendum in the space provided on the RFQ/P Acknowledgement and Signature Form. The District shall not be bound by any representations, whether oral or written, made at a pre-Qualification, pre-contract, or site meeting, unless such representations are incorporated in writing as an amendment to the RFQ/P or as part of the final contract. All questions or request for clarification concerning material terms of the contract should be submitted in writing for consideration as an amendment.

## **11. Withdrawal or Modification of Offers**

Respondents may modify or withdraw an offer in writing at any time before the deadline for submission of an offer.

## **12. Acceptance**

Any offer received shall be considered an offer that may be accepted or rejected, in whole or in part, by the District based on initial submission without discussions or negotiations.

The District reserves the right to reject any or all offers and to waive informalities, minor irregularities, or other requirements in offers received, and/or to accept any portion of the offer if deemed in the best interest of the District. Failure of a Respondent to provide in its offer any information requested in the RFQ/P, may result in rejection for non-responsiveness. Failure of a Respondent to meet or exceed any stated minimums in the RFQ/P may also result in rejection for reasons of non-responsiveness.

## **13. Representations**

No representations or guarantees of any kind, either made orally, or expressed or implied, are made with regard to the matters contained in this document, including any attachments, letters of transmittal, or any other related documents. Respondents must rely solely on its own independent assessment as the basis for the submission of any offer made.

**APPENDIX A**  
**(Separately attached):**

Includes the following

Form of Agreement

Exhibit A - Responsibilities and Services of Infrastructure Program Manager

Exhibit B - Criteria and Billing for Extra Services

Exhibit C – Schedule of Work

Exhibit D – Fee Schedule

## **APPENDIX B ATTACHMENTS**

9. Iran Contracting Act Certification
10. Environmentally Sustainable Procurement
11. Certificate Regarding Workers' Compensation
12. Statement of Equal Employment Opportunity
13. Small Local Business Enterprise and Small Emerging Local Business Enterprise Program
14. SLBE/SELBE Self Certification Affidavit
15. Non-Collusion Affidavit
16. RFQ/P Acknowledgement and Signature Form



**IRAN CONTRACTING ACT CERTIFICATION\_**  
**(Public Contract Code Sections 2202-2208)**

Prior to bidding on or submitting a proposal for a contract for goods or services of \$1,000,000 or more, the bidder/proposer must submit this certification pursuant to Public Contract Code section 2204.

The bidder/proposer must complete **ONLY ONE** of the following two options. To complete OPTION 1, check the corresponding box **and** complete the certification below. To complete OPTION 2, check the corresponding box, complete the certification below, and attach documentation demonstrating the exemption approval.

- OPTION 1.** Bidder/Proposer is not on the current list of persons engaged in investment activities in Iran created by the California Department of General Services (“DGS”) pursuant to Public Contract Code section 2203(b), and we are not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.
- OPTION 2.** Bidder/Proposer has received a written exemption from the certification requirement pursuant to Public Contract Code sections 2203(c) and (d). *A copy of the written documentation demonstrating the exemption approval is included with our bid/proposal.*

**CERTIFICATION:**

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY, that I am duly authorized to legally bind the bidder/proposer to the OPTION selected above. This certification is made under the laws of the State of California.

|  |                                   |
|--|-----------------------------------|
| <i>Vendor Name/Financial Institution (Printed)</i> | <i>Federal ID Number (or n/a)</i> |
| <i>By (Authorized Signature)</i>                   |                                   |
| <i>Printed Name and Title of Person Signing</i>    | <i>Date Executed</i>              |

END OF DOCUMENT



Peralta Community College District

**ENVIRONMENTALLY SUSTAINABLE PROCUREMENT  
RFQ/P No.: 23/24-01 INFRASTRUCTURE PROGRAM  
MANAGEMENT SERVICES**

It is the policy of the Peralta Community College District (Board Policy 2.40, Environmental Sustainability), to purchase products or services that help to minimize the adverse effects on human health and the environment, when compared to other products and services that serve the same purpose with comparable efficacy. The District recognizes that environmentally responsible purchasing will help create and sustain markets for environmentally sustainable products, and is committed to encouraging the procurement of environmentally sustainable products, such as products with high recycled content, remanufactured products, FSC certified lumber, Energy Star rated equipment, low and no VOC paints, low-toxicity cleaning supplies and Green Seal approved chemicals, locally sourced organic/sustainably grown foods, compostable utensils, non-polystyrene food containers, non-petroleum-based inks, and will promote contracting with businesses in close proximity, to reduce our carbon footprint and to promote the District's SLBE program.

The District's formal Environmental Sustainability Policy 2.40 is available for download at: [http://www.peralta.edu/projects/4/Purchasing%20Procedures/BP\\_2\\_40\\_Environmental\\_Sustainability\\_Policy\\_FINAL\\_3-31-08.pdf](http://www.peralta.edu/projects/4/Purchasing%20Procedures/BP_2_40_Environmental_Sustainability_Policy_FINAL_3-31-08.pdf).

**Vendor Statement and Signature**

**The long-term goal of the District is to purchase products with zero waste, high recycled content, produced and delivered in an environmentally sustainable manner. Does your product or service promote the District's Environmentally Sustainable Procurement goal?**

\_\_\_\_\_Yes\*    \_\_\_\_\_No

**\*If Yes, you are required to describe how your product or service that you are providing to the District will promote the District's Environmentally Sustainable Procurement goal.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Contractor Name: \_\_\_\_\_ Title: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**Peralta Community College District**

**CERTIFICATE REGARDING WORKERS' COMPENSATION**

**RFQ No.: 23/24-01 INFRASTRUCTURE PROGRAM MANAGEMENT SERVICES**

Labor Code Section 3700 in relevant part provides:

"Every employer except the State shall secure the payment of compensation in one or more of the following ways:

(a) By being insured against liability to pay compensation in one or more insurers duly authorized to write compensation insurance in this State.

(b) Be securing from the Director of Industrial Relations a certificate of consent to self-insure, which may be given upon furnishing proof satisfactory to the Director of Industrial Relations of ability to self-insure and to pay any compensation that may become due to his employees."

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract and will require all subcontractors to do the same.

\_\_\_\_\_  
Contractor

By: \_\_\_\_\_

(In accordance with Article 5 [commencing at Section 1860], Chapter 1, Part 7, Division 2 of the Labor Code, the above certificate must be signed and filed with the awarding body prior to performing any work under this Contract.)



**Peralta Community College District**

**STATEMENT OF EQUAL EMPLOYMENT OPPORTUNITY**

**RFQ No.: 23/24-01 INFRASTRUCTURE PROGRAM MANAGEMENT SERVICES**

I hereby certify \_\_\_\_\_  
that (Legal Name of Vendor/Consultant/Contractor)

Will not discriminate against any employee or applicant for employment because of race, creed, sex, color or national origin and shall insure compliance with all provisions of Executive Order No. 11246 (as amended by Executive order No.11375).

The vendor's questionnaire requests information for record keeping purposes only. The information requested will not be used as a basis for contract award.

However, after a contract is awarded to your company, the District requires your company to report:

- a. Actual racial, gender and residential workforce composition of your company for the contract work.
- b. Actual racial, gender and residential workforce composition of subcontractors for the contract work.
- c. Number of apprenticeship workforce for the contract work.

This report must be submitted to the District Department of General Services on a quarterly basis.

I declare under penalty of perjury under the laws of the state of California that the information I have provided herein is true and correct and is of my own personal knowledge.

BY: \_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name



## Peralta Community College District

### **SMALL LOCAL BUSINESS ENTERPRISE and SMALL EMERGING LOCAL BUSINESS ENTERPRISE PROGRAM**

The District is committed to ensure equal opportunity and equitable treatment in awarding and managing its public contracts and has established an annual overall program goal of twenty-five percent participation for small local businesses. To facilitate opportunities for small local business, the District will use a maximum 5% bidding preference for SLBE and SELBE firms. The preference is only used for computation purposes to determine the winning bidder, the contract is awarded at the actual bid amount. Please review the following guidelines to see if your firm qualifies for the preference.

The 5% bidding preference for an SLBE and SELBE firms are for construction, personal and professional services, goods and services, maintenance, repairs, and operations where responsibility and quality are equal. The preference will be 5% of the bid amount of the lowest responsive responsible bidder and may not exceed \$50,000.00 for any bid.

A Non-SLBE/SELBE Prime Contractor who utilizes 25% of total bid amount, with SLBE or SELBE subcontractors (who meet the District's Definition of an SLBE and SELBE), can also receive a maximum of 4% bidding preference, not to exceed \$50,000.00 for any bid. (See below Subcontractor section.)

#### **Definitions:**

**SLBE:** A Small Local Business Enterprise is a business that has not exceeded gross annual revenue of 8.5 million dollars for a construction firm, or 6 million dollars for goods and non- professional services firm, or 3 million dollars for architecture, engineering and professional services firm, for the past three consecutive years and meets the below geographic location requirements.

**SELBE:** A Small Local Emerging Business Enterprise is a business that has not exceeded gross annual revenue of 1.5 million dollars for the past three consecutive years and meets the below geographic location requirements.

**Commercially Useful Function:** Shall mean a business is directly responsible for providing the materials, equipment, supplies or services to the District as required by the contract solicitation. The business performs work that is normal for its business services and carries out its obligation by actually performing, managing, or supervising the work involved. The business is **not** Commercially Useful if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of SLBE or SELBE participation.

#### **Geographic Location Requirements:**

- The business must be located at a fixed, established commercial address located in the District's market area of Albany, Alameda, Berkeley, Emeryville, Oakland, or Piedmont, and not a temporary or movable office, a post office box, or a telephone answering service.
- If the business has an office outside of the District's market area as well as an office within the market area, the office within the District's market area must be staffed on a full time permanent basis with someone employed by the

business.

- If requested, the business that has an office outside of the District's market area must provide proof of one or more past contracts citing the business address (such as contracts to perform work, to rent space or equipment, or for other business services) was within the District's market area at least one (1) year prior to the date of contract award. The one- year requirement does not apply to businesses whose sole establishment is located within the District's market area.

**Subcontractors:**

Non-SLBE/SELBE Prime Contractors who use subcontractors, who meet the district definitions of SLBE and SELBE, may receive a maximum of 4% bidding preference if the following conditions are met:

1. 25% of total bid amount is with Subcontractors who meet the District's definition of an SLBE and SELBE. The Prime Contractor must list each Subcontractor on the Subcontractor List form, clearly identifying the SLBE and SELBE status and the Dollar Amount of work each subcontractor will perform.
2. The Subcontractors must provide a Commercially Useful Function.
3. The Prime Contractor must maintain the Subcontractor percentages (based on the quoted dollar amounts) indicated in the Subcontractor List form at the time the Contract is awarded and throughout the term of the Contract.
4. The Prime Contractor must fill out sign the SLBE/SELBE Self Certification Affidavit and return it with the bid documents, and 48 hours after the bid opening the Prime Contractor must submit signed SLBE/SELBE Self Certification Affidavit from each of the SLBE and SELBE subcontractors listed in the Subcontractor form. The Subcontractor must agree to provide the requested documentation to verify the SLBE/SEBLE status.
5. No Substitutions can be made to the SLBE and SELBE subcontractor without the prior written approval of the District. The District will approve a subcontractor substitution on the following conditions:
  - a. A written statement from the subcontractor agreeing to the substitution.
  - b. When the subcontractor has been given a reasonable opportunity to execute the subcontract, yet fails to, or refuses to execute the subcontract, or refuses to satisfy contractual obligations.
  - c. When the subcontractor becomes insolvent.
  - d. When the District determines the work performed by the subcontractor is not in accordance with the contact agreement, or the subcontractor is substantially and unduly delaying or disrupting the progress of work.

Firms that meet the District criteria for an SLBE and SELBE can complete the below self-certification affidavit signed under penalty of perjury. Firms claiming SLBE and SELBE status in the self- certification affidavit will be required to submit proof of residency and revenue 48 hours after bid opening. Such proof shall consist of a copy of a contract to perform work, to rent space or equipment, or for other business services, executed from their local address, and the firm's tax returns for the past three consecutive years.



**Peralta Community College District**

**SLBE/SELBE SELF CERTIFICATION AFFIDAVIT  
RFQ No.: 23/24-01 INFRASTRUCTUREPROGRAM MANAGEMENT  
SERVICES**

I certify under penalty of perjury that my firm meets the District's definition of a Small Local Business Enterprise or a Small Emerging Local Business Enterprise and resides in the geographic location of the District's market area and qualifies for the below preference. The maximum preference will be five percent of the bid amount of the lowest responsible bidder and may not exceed \$50,000.00 for any bid. The preference is only used for computation purposes to determine the winning bidder; the contract is awarded at the actual bid amount. The District's Contract Compliance Office will determine whether this requirement has been fulfilled. Bidders may only claim one of the below preferences.

| <b>Certification Status</b>          | <b>Preference</b> | <b>Preference Claimed</b> |
|--------------------------------------|-------------------|---------------------------|
| SLBE                                 | 5% of lowest bid  |                           |
| SELBE                                | 5% of lowest bid  |                           |
| 25% of Subcontractors are SLBE/SELBE | 4% of lowest bid  |                           |
| Not Applicable                       | None              |                           |

1. I acknowledge and am hereby advised that upon a finding of perjury with the claims made in this self-certification affidavit the District is authorized to impose penalties which may include any of the following:
  - a) Refusal to certify the award of a contract
  - b) Suspension of a contract
  - c) Withholding of funds
  - d) Revision of a contract for material breach of contract
  - e) Disqualification of my firm from eligibility for providing goods and services to the Peralta Community College District for a period not to exceed five (5) years
  
2. I acknowledge and have been advised and hereby agree that my firm will be required to provide proof (and if applicable, my SLBE and SELBE Subcontractors will provide proof) of the status claimed on this self-certification affidavit 48 hours after bid opening. Proof of status claimed includes tax returns from the previous three years and past contracts to determine the size and geographical location of my firm.
  
3. I declare that the above provisions are attested to under penalty of perjury under the laws of the State of California.

RFQ/P Number: **23/24-01** Name: **Infrastructure Program Management Services**

Signed\_\_\_\_\_

Date\_\_\_\_\_

Name\_\_\_\_\_

Title\_\_\_\_\_



**Peralta Community College District**

**NON-COLLUSION AFFIDAVIT**

(To be executed by Vendor and submitted with Qualification/Proposal)

**RFQ No.: 23 / 24 - 01 INFRASTRUCTURE PROGRAM  
MANAGEMENT SERVICES**

State of California, County of \_\_\_\_\_

(Name) \_\_\_\_\_, being first duly sworn, deposes and says that he or she is (title) \_\_\_\_\_ of (company) \_\_\_\_\_ the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_





**Peralta Community College District**

**RFQ/P ACKNOWLEDGEMENT AND SIGNATURE FORM**

**RFQ No.: 23/24-01 MAINTENACE AND INFRASTRUCTURE PROGRAM MANAGEMENT SERVICES**

The undersigned having carefully examined the location of the proposed work, the local conditions of the place where the work is to be done, the Invitation, the General Conditions, the Specifications and all of the documents for this project, and accurately completed the Vendor's Questionnaire, proposes to enter into a contract with Peralta Community College District to perform the work listed in this RFQ/p, including all of its component parts, and to furnish any and all required labor, materials, equipment, insurance, bonding, taxes, transportation and services required for this project in strict conformity with the plans and specifications prepared, including any Addenda, within the time specified.

**Addendum Acknowledgement**

The following addendum(s) are acknowledged in this RFQ/P: \_\_\_\_\_

**Acknowledgement and Signature:**

1. No Qualification is valid unless signed in ink by the person authorized to make the Qualification.
2. I have carefully read, understand and agree to the terms and conditions on all pages of this RFQ/P. The undersigned agrees to furnish the services stipulated on this RFQ/P.

Vendor Name: \_\_\_\_\_ Title: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Contractor License #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Federal Tax Identification Number: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Decline Qualification:**

We **do not** wish to submit a Qualification on this Project. Please state your reason below. Please also indicate if you would like to remain on our vendor list.

Reason: \_\_\_\_\_

Company: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Signature \_\_\_\_\_ Date: \_\_\_\_\_