

## **EXHIBIT "N"**

### **Peralta Community College District**

#### **REQUEST FOR PROPOSAL FOR THE LANEY CENTRAL UTILITY PLANT BUILDING COMMISSIONING RFQ/RFP # 20 21/10**

#### **I. INTRODUCTION**

The Peralta Community College District ("District") is seeking Proposals to provide Building Commissioning and related services ("Services") for the Laney Central Utility Plant Project.

#### **II. RFP RESPONSE SCHEDULE SUMMARY:**

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

**All PROPOSALS ARE DUE ELECTRONICALLY BY 2:00P.M. ON JUNE 21, 2021.** Oral, telegraphic, facsimile, telephone, or email RFPs will not be accepted. RFPs received after this date and time will not be accepted and will be returned unopened. All RFPs must be submitted electronically using the Peralta Community College website thru the Purchasing Department via the following link:

[Vendor Registry](#)

Or, by contacting the Peralta Community College District, Office of Purchasing, **501 5th Avenue, Oakland, California, 94606, Phone (510) 466-7225**, Office Hours: 8:30 a.m. to 4:00 p.m.

Each submittal must conform and be responsive to the requirements set forth in this RFP.

The District reserves the right to waive any informalities or irregularities in received submittals. Further, the District reserves the right to reject any and all submittals and to negotiate contract terms with one or more respondent firms for one or more of the work items. The District retains the sole discretion to determine issues of compliance and to determine whether a respondent is responsive, responsible, and qualified.

If you have any questions regarding this RFP, please submit via Vendor Registry at the link above before 2:00 p.m. on June 10, 2021. Answers will be posted on the District website by 2:00 p.m. on June 18, 2021.

<b>Date</b>	<b>Event</b>
May 28, 2021	Release of RFP
June 08, 2021: 10:00 A.M. PST	Non-Mandatory Pre-Proposal Meeting
June 10, 2021: 2:00 P.M.	Deadline for submitting written questions
June 18, 2021: 2:00 P.M.	Deadline for District answering written questions
June 21, 2021: 2:00 P.M.	Deadline for Submitting Proposals

### **III. SCOPE OF SERVICES**

Selected firm shall provide professional Building Commissioning and related services as needed throughout the life of the project. All work performed shall comply with the approved construction documents and applicable codes and regulations. Estimated design and construction cost is \$12 million.

Due to the nature of the Central Utility Project (“CUP”), the District will not be pursuing LEED Certification through the United States Building Council (“USGBC”) LEED™ (Leadership in Energy & Environmental Design). The District is however committed to this policy of LEED Silver sustainable design, green building, and comprehensive energy efficiency as well as the reduction of pollution and greenhouse gases and will follow the LEED™ Silver certification guidelines, outlined below.

The objective of commissioning is to provide documented confirmation that a facility fulfills the functional and performance requirements of District, occupants, and operators. To reach this goal, it is necessary for the commissioning process to establish and document the District’s Project Requirements, which are criteria for system function, performance, and maintainability (design intent); and to also verify and document compliance with these criteria throughout design, construction, start-up, and the initial period of operation. In addition, complete operation and maintenance (O&M) manuals, as well as training on system operation, shall be provided to the building operators to ensure the building continues to operate as intended.

#### **Scope of Work**

The Commissioning Agent (“CxA”) must accomplish the following tasks. The CxA is free to suggest changes and improvements to the following task list, but for this proposal it is assumed that these tasks will be completed.

The CxA shall be involved throughout the project from design through the warranty phase. The primary role of the CxA during the overall Design Stage is to review the design to ensure it meets DISTRICT objectives and develop detailed commissioning specifications. During construction, the CxA provides a testing plan, which includes observing and documenting all systems’ performance to ensure that the systems are functioning in accordance with the District’s Project Requirements and the contract documents. The CxA is not responsible for design or general construction scheduling, cost estimating, or construction management, but may assist with problem-solving or resolving nonconformance issues or deficiencies.

The CxA will provide commissioning services required by LEED 4.1. The CxA will serve as an objective advocate of the District, oversee and coordinate the commissioning process, and present final recommendations to the District regarding the performance of the commissioned building systems.

**The Bid documents listed below are attached as Exhibits to this RFP and shall be part of proposal and CxA contract:**

**N-1:** 100% Design Development Documents prepared by Gilbane/WLC dated 04/14/2021

**N-2:** Project Schedule dated 5/10/2021

**N-3:** Criteria Documents prepared by Noll & Tam Architects.

**NOTE: 100% of CUP equipment and systems to be Commissioned.**

**A. Design Phase**

1. Assemble commissioning team, hold a scoping meeting, and identify responsibilities.
2. Prepare a project specific Commissioning Plan including team member responsibilities and directory, communication structure, specific systems and equipment to be commissioned and commissioning process schedule. Draft Commissioning Plan must be completed within fifteen (15) work-days of CxA being directed to proceed.
3. Schedule and lead commissioning meetings (onsite or virtually) as needed with the Commissioning Team. For purposes of preparing your price proposal, plan on attending the following meetings:
  - a. CxA Kick-off Meeting 4 hrs
  - b. CxA Plan review meeting 4 hrs
  - c. DSA Back Check Review Meeting 4 hrs
  - d. Construction Phase CxA meetings 40 hrs
  - e. Post Construction CxA meetings 20 hrs
4. Review the District's Project Requirements and Basis of Design documentation for clarity and completeness.
5. Design Peer Reviews – Review the design documents, including plans, specifications, Basis of Design, energy model for compliance with the District's requirements, engineering best practices, and maintenance standards, and in addition maintain a central commissioning comment log.
6. Conduct peer review and provide comments to the District and A/E Team of the DSA submittal. The A/E team will provide the CxA with written responses and include updates in the DSA Back Check set. Verify that items have been corrected from the DSA

submission set. Any ongoing/subsequent issues shall be relayed to the District Program Manager and Construction Manager for possible inclusion in an addendum.

7. Update the Commissioning Plan in preparation for Construction Stage.
8. Develop full commissioning specifications for all commissioned equipment. Coordinate this with the architect and engineers and integrate the commissioning specifications into the overall project specification package. One or more of the following documents can be used as a guide for content, rigor, and format:
  - a. Model Commissioning Plan and Guide Specifications, USDOE/ FEMP; Portland Energy Conservation, Inc. (PECI);
  - b. The HVAC Commissioning Process, ASHRAE Guideline 1-1996.

Specifications:

- a. The commissioning specification will include general commissioning requirements common to all systems and assemblies and a detailed description of the responsibilities of all parties, details of the commissioning process; reporting and documentation requirements, including formats; alerts to coordination issues, deficiency resolution; construction checklist and start-up requirements; the functional testing process; specific functional test requirements, including testing conditions and acceptance criteria for each piece of equipment being commissioned.
  - b. The specifications will clearly indicate who is witnessing and documenting start-up of each commissioned system. The specifications will be clear as to who is writing, directing, conducting, and documenting functional tests and regulatory-required tests. This may vary between systems, especially between electrical and mechanical. Provide language to enhance current project specifications to ensure comprehensive controls submittals, full control contractor accountability for documented point-to-point checkout and commissioning participation, comprehensive test, adjusting and balancing, full contractor documentation of start-up and superior training and Operations & Maintenance (O&M) manual documentation.
9. Review the project specifications and provide comments and additional language, as needed, to the contractor qualifications, submittal requirements, test, adjust and balance specifications, training requirements and operations and maintenance and system manual requirements.
  10. Coordinate a controls integration meeting where the electrical engineers, fire protection engineers, mechanical engineers, District representatives, and the Commissioning Agent (CxA) discuss integration issues between equipment, systems, and disciplines to ensure that integration issues and responsibilities are clearly described in the specifications.

11. Write step-by-step functional test procedures and documentation formats for all commissioned equipment and assemblies. Test procedures will include manual functional testing, energy management control system trending and may include stand-alone data-logger monitoring.
12. The final acceptance tests of all fire protection and life safety systems shall be witnessed by the District Fire Protection Engineer or their designated representative. Plan to assist the District Fire Protection Engineer or their designated representative in those tests. Testing and commissioning for the fire protection and life safety systems shall be per the requirements of those sections of the specifications and the applicable governing codes and standards.

## **B. Construction Phase**

1. Coordinate and direct the commissioning activities in a logical, sequential, and efficient manner using consistent protocols and forms, centralized documentation, clear and regular communications and consultations with all necessary parties, frequently updated timelines and schedules and technical expertise.
2. Coordinate the commissioning work with the design team and construction manager, to ensure that commissioning activities are being incorporated into the master schedule.
3. Plan and conduct commissioning meetings as needed and distribute minutes.
4. Request and review additional information required to perform commissioning tasks, including Operations & Maintenance (O&M) materials, contractor start-up and checkout procedures. Before start-up, gather and review the current control sequences and interlocks and work with contractors and design engineers until sufficient clarity has been obtained, in writing, to be able to write detailed testing procedures.
5. Review submittals applicable to systems being commissioned for compliance with commissioning needs, concurrent with the design team and Construction Manager reviews.
6. Review requests for information and change orders for impact on commissioning and District objectives.
7. Review coordination drawings to ensure that trades are making a reasonable effort to coordinate.
8. Write and distribute construction checklists for commissioned equipment.
9. Develop an enhanced start-up and initial systems checkout plan with contractors for selected equipment.
10. Perform site visits, as necessary, to observe component and system installations. Attend selected planning and job-site meetings to obtain information on construction

- progress. Review construction meeting minutes for revisions/ substitutions relating to the commissioning process. Assist in resolving any discrepancies.
11. Witness Heating Ventilating and Air Conditioning (HVAC) piping pressure test and flushing, sufficient to be confident that proper procedures were followed. Include testing documentation in the Commissioning Record.
  12. Witness any ductwork testing and cleaning sufficient to be confident that proper procedures were followed. Include documentation in the Commissioning Record.
  13. Document construction checklist completion by reviewing completed construction checklists and by selected site observation.
  14. Document systems start-up by reviewing start-up reports and by selected site observation.
  15. Approve air and water systems balancing by spot testing and by reviewing completed reports and by selected site observation.
  16. Coordinate functional testing for all commissioned systems and assemblies. Witness and document manual functional performance tests performed by the Construction Contractor for all commissioned systems and assemblies, except: a) some smaller equipment may be tested and documented by the Construction Contractor at the Commissioning Agent's discretion, b) electrical equipment testing and regulated testing may be directed and documented by the Construction Contractor with only spot witnessing and report review by the Commissioning Agent.

The functional testing shall include operating the system and components through each of the written sequences of operation, and other significant modes and sequences, including start-up, shutdown, unoccupied mode, manual mode, staging, miscellaneous alarms, power failure, security alarm when impacted and interlocks with other systems or equipment. Sensors and actuators shall be calibrated during construction check listing by the installing contractors and spot-checked by the commissioning provider during functional testing. Analyze functional performance trend logs and monitoring data to verify performance. Coordinate retesting as necessary until satisfactory performance is achieved.

Tests on respective HVAC equipment shall be executed, if possible, during both the heating and cooling seasons. However, some overwriting of control values to simulate conditions shall be allowed. Functional testing shall be done using conventional manual methods, control system trend logs, and readouts or standalone data loggers, to provide a high level of confidence in proper system function, as deemed appropriate by the Commissioning Agent and District.

17. After manual testing and initial trouble shooting is complete, monitor system operation and performance for selected data points for up to two weeks by requesting trend logs from the Construction Contractor from the building automation system. For needed system points not able to be trended by the building automation system, furnish, and

install temporary portable data loggers that will monitor up to 20 points. Analyze monitored data to verify operation and performance and issue a written report. This time frame and monitoring points may be modified to accurately commission the building.

18. The final acceptance tests of all fire protection and life safety systems shall be witnessed by the District Fire Protection Engineer or their designated representative. Testing and commissioning for the fire protection and life safety systems shall be per the requirements of those sections of the specifications and the applicable governing codes and standards. No building or portion thereof shall be occupied until the District has issued a certificate of occupancy. Once the District Fire Protection Engineer has ensured that to the best of their knowledge all the fire protection and life safety systems have been completed, inspected, successfully tested and approved and all outstanding fire and life safety deficiencies have been corrected to afford a reasonable degree of safety to the building occupants from fire and similar emergencies, a certificate of occupancy will be issued.
19. Maintain a master issues log and a separate record of functional testing. Report all issues through the Construction Manager as they occur. Provide through the Construction Manager written progress reports and test results with recommended actions.
20. Review equipment warranties to ensure that District responsibilities are clearly defined.
21. Facilitate, oversee, and review the training of District operating personnel. Oversee the videotaping of this training. Attend and participate in key training sessions.
22. Compile a Commissioning Record, which shall include:
  - a. A brief summary report that includes a list of participants and roles, brief building description, overview of commissioning and testing scope, and a general description of testing and verification methods. For each piece of commissioned equipment, the report shall contain the disposition of the commissioning provider regarding the adequacy of the equipment, documentation and training meeting the contract documents in the following areas:
    1. Equipment meeting the equipment specifications,
    2. Equipment installation,
    3. Functional performance and efficiency,
    4. Equipment documentation, and
    5. Operator training.
  - b. All outstanding non-compliance items shall be specifically listed. Recommendations for improvement to equipment or operations, future actions, commissioning process changes, etc. shall also be listed. Each noncompliance issue shall be referenced to the specific functional test, inspection, trend log, etc. where the deficiency is documented.

- c. Also included in the Commissioning Record shall be the commissioning plan, District's Project Requirements (from DISTRICT PM), Basis of Design (from A/E), commissioning specifications, design review, submittal review, issues log, construction checklists, CxA site visit and Commissioning Team meeting minutes, O&M review, training documentation, test procedures, warranty review and test data reports.
- d. Submit 3 bound text copies of the Commissioning Records with three electronic copies, including all information listed in B & C above.

### **C. Post-Construction Phase**

1. Coordinate and supervise required opposite season or deferred testing and deficiency corrections and provide the final testing documentation for the Final Commissioning Report and O&M manuals.
2. Return to the site ten months into the 12-month warranty period and review with facility staff the current building operation and the condition of outstanding issues related to the original and seasonal commissioning. Also interview facility staff and identify problems or concerns they have with operating the building as originally intended. Make suggestions for improvements and for recording these changes in the O&M manuals. Identify areas that may come under warranty or under the original construction contract. Assist facility staff in developing reports and documents and requests for services to remedy outstanding problems.

The selected consultant(s) and/or consultant teams shall keep proper records of all projects for Building Commissioning Services pursuant to contracted services, including, but not limited to, copies of all project correspondence, submittals, shop drawings, and schedules. All such project records shall be submitted to the District after the completion of the project and shall become property of the District.

## **IV. RFP TERMS AND CONDITIONS**

### **A. ACCEPTANCE and REJECTION of PROPOSALS**

The District retains the sole discretion to determine issues of compliance and whether a Proposal is responsive, responsible, and qualified.

The District reserves the right to waive any informalities or irregularities not governed by law.

The District reserves the right to reject all Proposals or to cancel this RFP.



## **B. AWARD of CONTRACT**

This RFP does not obligate the District to award a contract or accept or contract for expressed or implied services.

The District makes no representation that participation in the RFP process will lead to an award of a contract or any other consideration, whatsoever. The award of a contract, if at all, is at the sole discretion of the District.

The District reserves the right to contract with any person or entity responding to this RFP for all or any portion of the work described herein, to reject any Proposal as non-responsive, and/or not to contract with any Respondent for the services described herein.

If the Respondent with the highest-scoring Proposal does not agree to enter into a contract with the District, the District retains the right to negotiate with any other Respondent. The District reserves the right to contract with any firm not participating in this process.

## **C. COST OF PROPOSAL PREPARATION**

The District shall in no event be responsible for the cost of preparing or submitting a response to this RFP, including any supporting materials or participation in interviews.

## **D. USE OF PROPOSALS, PROPRIETARY INFORMATION**

Proposals, and any other supporting materials provided to the District in response to this RFP, 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 will be deemed 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, submissions 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 Proposer have completed negotiations and entered into an Agreement, or (2) the District has rejected all submissions. Furthermore, the District will have no liability to the Proposer or other party as a result of any public disclosure of any Proposal.

## **E. FULL OPPORTUNITY**

The District hereby affirmatively ensures that Disadvantaged Business Enterprises ("DBE"), Small Local Business Enterprises ("SLBE") and Small Emerging Local Business Enterprises ("SELBE") shall be afforded full opportunity to submit Proposals in response to this RFP.

No Respondent will be discriminated against on the basis of race, color, gender, sexual orientation, political affiliation, age, ancestry, religion, marital status, national origin, medical condition, or disability in any consideration leading to the award of the contract.

**F. 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 25 percent participation for small local businesses. To facilitate opportunities for small local business, the District will use a maximum five percent bidding preference for SLBE and SELBE firms. The preference is only used for computation purposes to determine the winning bidder, and not for determining the contract price.

The full version of the District’s small local business enterprise and small emerging local business enterprise program can be found by going to the District’s home page:

[SLBE AFFIDAVIT](#)

Proposers claiming SLBE and SELBE status in the self-certification affidavit will be required to submit proof of residency and revenue 48 hours after the delivery deadline for Proposals. 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 from the past three consecutive years.

**G. RESTRICTIONS ON LOBBYING AND CONTACTS**

From the period beginning on the date of the issuance of this RFP and ending on the date of the award of the contract, no person, or entity responding to this RFP, 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 RFP, the evaluation or selection process/or the award of the contract(s) with any member of the District’s Governing Board (“Board”), selection committee members, or any member of the Citizens’ Oversight Committee, or with any employee of the District except for clarifications and questions as described herein. Any such contact shall be grounds for the disqualification of the Respondent.

**H. INVESTIGATIONS and CLARIFICATIONS**

The District reserves the right to investigate and rely upon information from any other available sources in addition to and beyond any documents or information submitted in response to this RFP.

The District reserves the right to request, at its sole discretion, that one or more of the Respondents provide clarifications or supply additional material deemed necessary to assist in the evaluation of Proposals, and to modify or alter any of the requirements herein.

In the event that the proposal guidelines change materially, all Respondents who have submitted timely Proposals will be given an opportunity to modify their Proposal in the specific areas that are impacted.

## **V. PROPOSAL FORM AND CONTENT**

Proposals must conform and be responsive to the requirements set forth in this RFP. Proposals that do not acknowledge all Addenda may be deemed non-responsive.

### **Originals and Copies**

Unbound paper copies, if required, shall be marked "Copy for Public Information," and be formatted as follows:

- No divider sheets or tabs.
- Pages with proprietary information should be removed.
- Contain a cover sheet listing the firm's name, the total number of pages, and should identify any pages that were removed due to proprietary information.

Digital files, if required, shall be in a pdf format on a USB-compatible portable storage device. Digital file shall be a single file, no greater than 10MB in size, including covers, section dividers, and attachments.

### **Organization**

Please organize the Proposal into sections as described below. Ensure that each section contains the information requested. Reviewers may not read all sections. The content of each section should focus on demonstrating qualifications for this project specifically.

The combined **limit for sections 1-4 is 16 pages**, single sided (8 pages double-sided), format- ted to print legibly on 8 ½" x 11" paper with all body text at a 12 point font or larger. Place a page break between sections. Insert bookmarks to support navigation in digital files.

#### **1. Introduction** (1 page)

##### **a. Highlights** of proposal

##### **b. Point of Contact During Evaluation and Award Process**

- i. Name, email address, and phone number for no more than two individuals who can respond to questions and correspondence on behalf of the Proposer. These individuals can be the same or different from Key Personnel, principals, or authorized signatories.

## 2. **Team Project Experience (see matrix below)**

- a. Provide resumes for all individuals proposed (no more than one page per staff)
- b. Please limit resumes to include only relative experience
  - i. Include past (10) years of experience
    - 1. Owner/Client Name
    - 2. Project name
    - 3. Positions held during project
    - 4. Brief Description of Building Structure Type and Building Type (Locker, Gym, Student Union, Sqft, S/U, New or Mod, etc.)
    - 5. Services provided

## 3. **Fee**

- a. List **hourly rates** by position title, with cross-reference to key personnel and staffing plan, for reference.
- b. Present a **schedule of values** based on tangible deliverables, coordinated with the work plan and the staffing plan, to support evaluation of invoices. Invoices will be evaluated for tangible progress (and not hours expended or for percentage of time elapsed).
- c. Include all costs necessary to complete the scope of services, including, but not limited to, document reproduction, travel, meetings, and delivery services. The District will not process invoices on a "reimbursable" basis.
- d. Include a **lump sum total fee**. Provide detail, coordinated with the Work Plan, to **show how the lump sum fee was calculated**.

## 4. **Authorized Signature, Business Information, Related Documents**

- **Insurance Requirements:** include statement that "[insert name of Respondent] has reviewed the indemnity provisions and insurance requirements contained in the sample contract and":
  - "has no objections."
- **Other Modifications:** include statement that "[insert name of Respondent] has reviewed all provisions of the sample Agreement and":
  - "has no objections."
- a. **Debarment:** Provide statement that the Proposer, and all of its proposed subconsultants and other partners, have not been debarred from providing services to any Federal, State, or Local Agency within the last five (5) years. If

Proposer or any of its proposed subconsultants or other partners has been debarred, identify the agency and individual that issued the debarment, the agency's basis for the debarment, and the date of the debarment.

**b. Ethics Certification:** Certify that no official or employee of Respondent has ever been convicted of an ethics violation.

**c. Other Certifications and Forms:**

i. Acknowledgement and Signature Form

1. Use the Acknowledgement and Signature Form in **RFP Exhibit 1**.

**d. Authorization and Declaration:** Provide statement that the person signing the Proposal is authorized to submit proposals on the behalf of the entity, and that "by virtue of submission, *[insert name of authorized signatory]* declares that all information provided is true and correct."

**e. Signature:** Signature of authorized person, printed name and title of authorized person, and date. If Respondent is a joint venture, duplicate the signature block and provide an authorized person for each party to the joint venture.

**VI. SELECTION PROCESS**

**A. Evaluation Process**

The District retains the sole discretion to determine issues of compliance and to determine whether a Proposal is responsive, responsible, and qualified.

A technical screening committee ("the committee") comprised of District personnel will evaluate and score all submissions according to the evaluation criteria. The District may, at its sole discretion, request additional information pertinent to the evaluation process, from one or more Proposers and/or from third parties.

The District may, at its sole discretion, require one or more Proposers to participate in interviews. Proposer's Key Personnel are expected to attend an interview (see interview date(s), if any, in Section I). District staff and other stakeholders may participate in the interview process. The interview is an opportunity for the District to review the information in the Proposal and other matters the District deems relevant to its evaluation. For example: comments or proposed changes to the form of Agreement.

**B. Evaluation Criteria**

The District will evaluate a number of factors in combination. Submissions will be scored according to the criteria and weights (points) listed below.

<b>Item</b>	<b>Criteria</b>	<b>Maximum Possible Points</b>
1	<u>Project-Specific Team Experience</u> Strength of project-specific team specific to commissioning projects	30
2	<u>Team Matrix</u> Strength of project team experience	40
3	<u>SLBE</u> Prime is certified SLBE (5 points maximum) 25% of Prime’s subcontractors are SLBE firm (4 points maximum)	5
4	<u>Fee</u> Clarity, tangible deliverables, consistency, overall cost	25
	<u>Total</u>	100

**A. Award of Contract:**

The District retains the sole discretion to identify Proposer(s) that can provide the greatest overall benefit to the District. See also RFP Terms and Conditions.

The committee will make a recommendation to the Vice Chancellor of General Services.

**VII. EXHIBITS**

**A. RFP Exhibit 1: Miscellaneous Forms and Templates**

- 1. Acknowledgement and Signature Form**

**B. RFP Exhibit 2: Team Experience**

- 1. Matrix of proposed staff, corresponding team experience, and references**

**C. RFP Exhibit 3: SLBE Affidavit**

- 1. Small Local Business Enterprise and Small Emerging Local Business Enterprise Program**

**D. RFP Exhibit 4: SLBE Participation Table (attached as separate document)**

- 1. Matrix identifying specific sub-consultants that are proposed participate on the project and the relative percentage of participation**

**E. RFP Exhibit 5: N-1 (attached as separate document)**

- 1. 50% Construction Documents prepared by Gilbane/WLC dated 04/14/2021**

**F. RFP Exhibit 6: N-2 (attached as separate document)**

- 1. Project Schedule dated 5/10/2021**

**G. RFP Exhibit 7: N-3 (attached as separate document)**

- 1. Criteria Documents prepared by Noll & Tam Architects**

**WE THANK YOU FOR YOUR INTEREST IN THIS EXCITING PROGRAM!**

**Acknowledgement and Signature Form**

**The undersigned having carefully examined the Request for Proposals, 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 described in this RFP, 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 RFP, including any Addenda, within the time specified.**

Addendum Acknowledgement

The following addendum(s) are acknowledged in this RFP: \_\_\_\_\_

Acknowledgement and Signature:

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

Vendor (Respondent) Name: \_\_\_\_\_

Name and Title of Signatory: \_\_\_\_\_

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

(date)



**RFP EXHIBIT 2 : TEAM EXPERIENCE**

- Details for team experience are requested in a separate file attached to the email. Populate the table with proposed staff, corresponding team experience, and references. See sample table below. *Proposers may modify document as needed in order to provide adequate responses.*

Team Experience Sample  
(template included as separate attachment)

<b>Proposed Staff</b>						
<b>Description</b>	1	2	3	4	5	6
<b>Name</b>						
<b>Proposed Project Position</b>						
<b>DSA Experience (Yes/No)</b>						
<b>State Funding Experience (Yes/No)</b>						
<b>K14 Experience (Yes, No)</b>						
<b>Hourly Rate</b>						
<b>Past Project Experience (firm experience)</b>						
<b>Description</b>	1	2	3	4	5	6
<b>Owner/Client Name</b>						
<b>Project Name</b>						
<b>Brief Description (Bldg Type, Sqft, S/U, etc)</b>						
<b>New Construction or Modernization (New/Mod)</b>						
<b>A/E Contract Value</b>						
<b>Number of Amendments</b>						
<b>Dollar Value of Amendments</b>						
<b>Awarded Construction Value</b>						
<b>Final Construction Value</b>						
<b>Total Change Orders \$</b>						
<b>% Change Order</b>						
<b>Reasons for Change Orders: Unforeseen, Owner Requests, State Agency Request, Errors &amp; Omissions (Provide % of Each)</b>						

<b>Owner/Client Reference (please provide three references per position proposed)</b>						
<b>Description</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>REFERENCE 1 Name</b>						
<b>Employer Name</b>						
<b>Phone Number</b>						
<b>Email</b>						
<b>Project Name</b>						
<b>REFERENCE 2 Name</b>						
<b>Employer Name</b>						
<b>Phone Number</b>						
<b>Email</b>						
<b>Project Name</b>						
<b>REFERENCE 3 Name</b>						
<b>Position</b>						
<b>Phone Number</b>						
<b>Email</b>						
<b>Project Name</b>						



## 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. On professional services contracts to facilitate opportunities for small local business, the District will use a maximum five (5) preference points for SLBE and SELBE firms. The preference points are used for computation purposes, as part of the selection process. Please review the following guidelines to see if your firm qualifies for the preference.

District qualified SLBE and SELBE Prime for professional services projects will receive five (5) preference points. Non-SLBE/SELBE Prime who utilizes 25% of total bid amount, with SLBE or SELBE subconsultants (who meet the District's Definition of an SLBE and SELBE), can also receive four (4) preference points. An additional preference point for Non-SLBE/SELBE Prime, who utilizes SLBE/SELBE for minimum 35% of total bid amount, for full maximum five (5) preference points.

#### **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 Primes who use subconsultants, who meet the district definitions of SLBE and SELBE, may receive four (4) preference points, if the following conditions are met:

1. 25% of total bid amount is with Subconsultants who meet the District's definition of an SLBE and SELBE. The Prime must list each Subconsultant on Attachment A, Small Local Business Participation Worksheet, clearly identifying the SLBE and SELBE status and the Dollar Amount and percentage of work each subconsultant will perform.
2. The Subconsultants must provide a Commercially Useful Function.
3. The Prime must maintain the Subconsultant percentages (based on the quoted dollar amounts) indicated in the Small Local Business Participation Worksheet 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 proposal, and 48 hours after selection the Prime must submit signed SLBE/SELBE Self Certification Affidavit from each of the SLBE and SELBE subconsultant listed in the Small Local Business Calculations form. The Subconsultant must agree to provide the requested documentation to verify the SLBE/SEBLE status.

5. No Substitutions can be made to the SLBE and SELBE subconsultant, without the prior written approval of the District. The District will approve a subconsultant substitution on the following conditions:
  - a. A written statement from the subconsultant agreeing to the substitution.
  - b. When the subconsultant 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 subconsultant becomes insolvent.
  - d. When the District determines the work performed by the subconsultant is not in accordance with the contract agreement, or the subconsultant is substantially and unduly delaying or disrupting the progress of work.
  
6. An additional preference point for a Non-SLBE/SELBE Prime, who utilizes SLBE or SELBE subconsultant (who meet the District's Definition of an SLBE and SELBE) for minimum 35% of total bid amount, for full maximum five (5) preference points.

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 no later than 48 hours after proposal submittal. Such proof shall consist of a small, local certification from a local agency in Peralta District, copy of a contract to perform work, to rent space or equipment, or for other business services, executed from their local address, and/or the firm's tax returns for the past three consecutive years. The following chart is how SLBE/SELBE preference points are calculated:

Certification Status	SLBE/SELBE Participation	Preference Points
SLBE/SELBE Prime <u>or</u> Non-SLBE/SELBE Prime	Less than 25%	0 points
Non-SLBE/SELBE Prime	25%	4 points
SLBE/SELBE Prime	25% or more	5 points
Non-SLBE/SELBE Prime	35% or more	5 points



# Peralta Community College District

## SLBE/SELBE SELF CERTIFICATION AFFIDAVIT

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. District qualified SLBE and SELBE Prime for professional services projects will receive five (5) preference points. Non-SLBE/SELBE Prime who utilizes 25% of total bid amount, with SLBE or SELBE subconsultant (who meet the District’s Definition of an SLBE and SELBE), can also receive four (4) preference points. An additional preference point for Non-SLBE/SELBE Prime, who utilizes SLBE or SELBE subconsultant (who meet the District’s Definition of an SLBE and SELBE) for minimum 35% of total bid amount, for full maximum five (5) preference points.

The District’s Contract Compliance Office will determine whether this requirement has been fulfilled. Proposers and their SLBE/SELBE subconsultants must each only claim one of the below status.

Certification Status	Status Claim
SLBE/SELBE <b>Subconsultant</b>	<input type="checkbox"/>
Non-SLBE/SELBE <b>Subconsultant</b>	<input type="checkbox"/>
SLBE/SELBE <b>Prime</b>	<input type="checkbox"/>
Non-SLBE/SELBE <b>Prime</b>	<input type="checkbox"/>

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 Subconsultants 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.

RFP Number: \_\_\_\_\_

RFP Name: \_\_\_\_\_

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed or typed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of Company

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Fax