

**LEGAL NOTICE**

**REGIONAL SCHOOL DISTRICT 14**  
**REQUEST FOR QUALIFICATIONS**

Owner's Project Management Services  
February 3, 2016

The Regional School District #14 of Bethlehem and Woodbury will receive sealed statements of qualifications for Owner's Project Management (Owner's Representative) services until 3:00 p.m. on February 16, 2016.

The documents comprising the Request for Qualifications may be obtained on the Region's website, [www.ctreg14.org](http://www.ctreg14.org), under "Board of Education," "Building Projects."

Regional School District #14 reserves the rights to amend or terminate this Request for Qualifications, to reject any or all respondents, to request additional information, to waive any informalities or non-material deficiencies in a response, and to take any and all other action that, in the Region's sole judgment, will be in its best interests.

**REGIONAL SCHOOL DISTRICT 14**  
**REQUEST FOR QUALIFICATIONS**  
**FOR**  
**OWNER'S PROJECT MANAGEMENT SERVICES**

**RFQ Number:** 1516-002  
**RFQ Submission Address:** Mr. Wayne McAllister, Director of Finance & Operations,  
P. O. Box 469,  
5 Minortown Rd, Woodbury, CT 06798  
**RFQ Submission Deadline:** February 16, 2016 at 3:00 p.m.

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**Regional School District #14** is soliciting statements of qualifications from qualified individuals or firms to provide comprehensive owner's project management services for the renovate-as-new project at Nonnewaug High School (the "School Project").

The services to be provided shall include, but are not limited to, analyzing constructability, advising the Region 14 Building Committee (the "Building Committee) on project delivery systems and forms of contracts, serving as a single point of contact between contractors and designers, representing the Building Committee at key meetings, monitoring the project schedule and budget, auditing quality assurance/quality control procedures, assisting in evaluating contractor payment requests, providing monthly reporting, and facilitating issue resolution. The owner's project manager will be expected to continue to provide all owner's project manager services throughout the School Project, including turnover, closeout, commissioning, and State audit compliance.

The purpose of this Request for Qualifications process is to identify the most responsible qualified respondents. Following analysis of the responses to this Request for Qualifications, the Building Committee intends to develop a list of prequalified individuals or firms who will be invited to participate in a subsequent Requests for Proposals ("RFP") for the School Project. The selection procedure for this RFQ, the RFP, the interviews of finalists, and the notice of award to the most responsible qualified proposer is set forth in greater detail herein.

One (1) original and nineteen (19) hard copies of sealed statements of qualifications and all other required documents must be received in the office of Mr. Wayne McAllister, Director of Finance & Operations, P.O. Box 469, 5 Minortown Rd., Woodbury, CT 06798 by the date and time noted above. The Building Committee will not accept responses by e-mail or fax. The Building Committee will reject responses received after the date and time noted above.

The documents comprising this Request for Qualifications may be obtained on the Region 14 website, [www.ctreg14.org](http://www.ctreg14.org), under "Board of Education," "Building Projects." **Each respondent is responsible for checking the Region 14 website to determine if the Building Committee has**

**issued any addenda and, if so, to complete its response in accordance with the Request for Qualifications as modified by the addenda.**

Responses cannot be withdrawn for sixty (60) calendar days after the submission deadline.

The Building Committee reserves the rights to amend or terminate this Request for Qualifications, to reject any or all respondents, to request additional information, to waive any informalities or non-material deficiencies in a response, and to take any and all other action that, in the Building Committee's sole judgment, will be in its best interests.

This Request for Qualifications ("RFQ") includes:

- Standard Instructions
- Insurance Requirements
- Background Disclosure Form
- Legal Status Disclosure Form
- Statement of References Form
- Addenda, if any

## REGIONAL SCHOOL DISTRICT #14

### STANDARD INSTRUCTIONS FOR RFQ # 1516-002

#### 1. INTRODUCTION/GENERAL INFORMATION ABOUT RFQ

The Regional School District #14 Building Committee (the “Building Committee”) is soliciting statements of qualifications from qualified individuals or firms to provide comprehensive owner’s project management services for the renovate-as-new Nonnewaug High School Project (the “School Project”).

The services to be provided shall include, but are not limited to, analyzing constructability, advising the Region 14 Building Committee (“Building Committee”) on project delivery systems and forms of contracts, serving as a single point of contact between contractors and designers, representing the Building Committee at key meetings, monitoring the project schedule and budget, auditing quality assurance/quality control procedures, assisting in evaluating contractor payment requests, providing monthly reporting, and facilitating issue resolution. The owner’s project manager will be expected to continue to provide all owner’s project management services throughout the School Project, including turnover, closeout, commissioning, and State audit compliance.

The purpose of this Request for Qualifications process is to identify the most responsible qualified respondents. Following analysis of the responses to this Request for Qualifications, the Building Committee intends to develop a list of prequalified individuals or firms who will be invited to participate in a subsequent Requests for Proposals (“RFP”) for the School Project. The Building Committee reserves the right, in its sole discretion, to advertise such RFP beyond the prequalified list that results from this Request for Qualifications process. The selection procedure for this RFQ, the RFP, the interviews of finalists, and the notice of award to the most responsible qualified proposer is set forth in greater detail herein.

This RFQ is not a contract offer, does not provide a respondent with any rights, and does not impose on the Building Committee any obligations.

Interested parties should submit a response in accordance with the requirements and directions contained in this RFQ. **Respondents are prohibited from contacting any Region 14 employee, officer or official concerning this RFQ, except as set forth in Section 8, below. A respondent’s failure to comply with this requirement may result in disqualification.**

If there are any conflicts between the provisions of these Standard Instructions and any other documents comprising this RFQ, these Standard Instructions shall prevail.

## **2. SCOPE OF SERVICES**

The services to be provided shall include, but are not limited to, analyzing constructability, advising the Region 14 Building Committee on project delivery systems and forms of contracts, serving as a single point of contact between contractors and designers, representing the Region at key meetings, monitoring the project schedule and budget, auditing quality assurance/quality control procedures, assisting in evaluating contractor payment requests, providing monthly reporting, and facilitating issue resolution. The owner's project manager will be expected to continue to provide all owner's representative services throughout the School Project, including turnover, closeout, commissioning, and State audit compliance.

The Building Committee anticipates that the provision services will include, but not necessarily be limited to, the following tasks. In submitting a response to this RFQ, the proposer should address its qualifications to provide and experience with the provision of such services:

1. Undertake the management of, and be the owner's representative facilitator for, the School Project.
2. Provide consultation services and advice by working closely with Region 14's architects/engineer, construction manager, Board of Education staff, relevant Town and State offices and officials, and the community at large on every aspect of the School Project.
3. Assist with the completion of, review and provide input on developing and submitting required Town and State filings (with associated back-up), including funding authorization requests and reimbursement requests to the State of Connecticut.
4. Work closely with the CT State Department of Education, the CT State Department of Administrative Services, Division of Construction Services Office of School Construction Grants, and all appropriate Town and Board of Education staff on all aspects of the School Project, including the grant and reimbursement application and management process.
5. Make required presentations to all appropriate Town bodies (including, but not limited to the Board of Selectmen, the appropriate land use boards, and others (including in conjunction with Region 14 architects, engineers and construction managers where appropriate).
6. Review and oversee critical path schedules for design and construction provided by others.
7. Review and oversee project budgets, schedules and cash flow projections.
8. Oversee and coordinate detailed School Project cost estimating and any required reconciliation between estimates and budgets. Identify cost control and value management options to keep the

School Project on budget and ensure compliance with Town and Board of Education approvals, State reimbursement requirements, and School Project specifications.

9. Provide oversight for efficient and comprehensive communications and tracking of critical project elements (e.g., requests for information (RFI's); change orders, project master schedule and budget, submittals, addendums, meeting minutes, schedules, etc.).
10. Assist in the monitoring and reporting on contract manager, contractor, and subcontractor compliance with all local, state, and federal requirements.
11. Develop and implement a system for review and processing of change order, including State Change Orders to relevant state officials (e.g., the CT DAS Division of Construction Services Office of School Construction Grants).
12. Attend (and, where required, represent the Region 14 Building Committee at all School Project meetings, including job meetings, and any other meetings as required.
13. Document, retain and post meeting minutes as needed.
14. Develop and implement a procedure for review, approval and processing of contractor and professional consultant requests for payment.
15. Assist Region 14 to resolve any questions that arise during the School Project program planning, design development, bidding, and construction.
16. Prepare and maintain a system for reporting to the Connecticut Department of Education, CT DAS Division of Construction Services Office of School Construction Grants.
17. Determine final completion and turnover to Region 14 of all required materials.
18. Coordinate the completion and construction phase closeout of all projects including but not limited to: ensuring all appropriate documents are submitted, warranty issue oversight, owner implemented changes and/or additions to the School Project.
19. Prepare for and assist in the State of Connecticut project audit process.
20. Review Certified Payrolls for reasonableness, completeness, and compliance with the law.
21. Provide Value Management/Engineering Oversight.
22. Assist with State of Connecticut High Performance Building Certification Process.

23. Provide documentation management services (e.g., warranties, as-builts, manuals, etc.).
24. Coordinate Schedules and Deliveries and review Payment Requests/Invoices.
25. The owner's project manager is prohibited from working on the School Project in additional capacities (e.g., as an architect, construction manager, engineer, or in the trade packages).

**3. MINIMUM AND PREFERRED QUALIFICATIONS**

The Building Committee expects each respondent to meet at least the following minimum qualifications:

1. The owner's project manager must have demonstrated experience as a construction manager, owner's representative, or architect in the completion at least two (2) school construction projects in Connecticut, with a budget of at least \$25 million each, in the last ten (10) years.
2. Preference will be given to demonstrated experience with providing such services in conjunction with new-school construction on the site of an occupied school.
3. The owner's project manager must have demonstrated owner's representative, project management, and/or construction management experience a minimum of \$150 million in State-approved projects.
4. The owner's project manager must have demonstrated experience providing construction management, owner's representative, or architectural services to multiple public school districts in Connecticut.
5. The owner's project manager must have demonstrated strong owner's representative and project management skills, including but not limited to, extensive construction experience, change order evaluation, critical path scheduling and budget oversight. The selected firm must demonstrate the ability to work collaboratively with towns, school boards, building committees, architects and construction managers.
6. The School Project will be subject to requirements of the State of Connecticut Department of Administrative Services, Division of Construction Services Office of School Construction Grants. Candidates shall demonstrate project experience working with and extensive knowledge of these agencies and their requirements.

The written response to this RFQ must also include the following information, which shall be used as criteria for selecting firms from which to solicit RFP responses, finalists to be interviewed, and the firm ultimately selected as the most responsible qualified proposer to serve as the owner's representative:

1. List the school districts and projects for which the firm has provided complete Owner's Project Management, construction oversight or Construction Management services. Include only current projects or projects completed within the last ten (10) years. Include specific information on projects (i.e. description, size, value, schedule, type of Owner's Representative Agreement), organizational structure with owner and current owner references, project's budget at start of project and completion of project, and project's anticipated completion date at start of project and when project was completed.
2. Describe experience with working with community and government on local and state level, particularly in the context of new school construction.
3. Indicate who will be providing mechanical, engineering, plumbing (MEP) knowledge, schedule and cost estimating capabilities if such services will be subcontracted.
4. Describe experience with defining and implementing The State of Connecticut High Performance Building Standards, the requirements for state grants and/or reimbursement from the State of Connecticut Department of Administrative Services, Division of Construction Services Office of School Construction Grants and other laws and regulations applicable to Connecticut school construction.
5. Demonstrate understanding of and ability to meet owner's representative goals and ability to provide the scope of services set forth in this RFQ.
6. Describe experience working with "at risk" construction managers and a guaranteed maximum price ("GMP") contracts.
7. Describe experience working with architects, engineers, commissioning agents and other consultants during design and construction activities, particularly renovate-as-new school design.
8. Demonstrate successful experience with State audits of completed projects. Cite examples of a minimum of three (3) audited school projects.

#### **4. RIGHT TO AMEND OR TERMINATE THE RFQ**

Region 14 may, before or after the submission deadline and in its sole discretion, clarify, modify, amend or terminate this RFQ if the Region determines it is in the Region's best interest. Any such action shall be effected by a posting on the Region 14 website, [www.ctreg14.org](http://www.ctreg14.org), under "Board of Education," "Building Projects. **Each respondent is responsible for checking the Region 14 website to determine if the Region 14 Building Committee has issued any addenda and, if so, to complete its response in accordance with the RFQ as modified by the addenda.**



**5. KEY DATES**

**RFQ Submission Deadline: February 16, 2016, 3:00 p.m.**

**6. OBTAINING THE RFQ**

All documents that are a part of this RFQ may be on the Region 14 website, [www.ctreg14.org](http://www.ctreg14.org), under “Board of Education,” “Building Projects.”

**7. RESPONSE INSTRUCTIONS**

Responses must be received in the Mr. Wayne McAllister, Director of Finance and Operations, P.O. Box 469, 5 Minortown Rd., Woodbury, CT 06798. By 3:00 p.m. on Monday, February 15, 2016. Postmarks prior to the submission deadline do **NOT** satisfy this condition. The Region 14 Building Committee will not accept responses by e-mail or fax. Respondents are solely responsible for ensuring timely delivery. The Region 14 Building Committee will not accept late submissions.

One (1) original and nineteen (19) hard copies of all required documents and information must be submitted in sealed, opaque envelopes clearly labeled with the respondent’s name, the respondent’s address, the words "**RFQ DOCUMENTS**," and the **RFQ Title, RFQ Number, and RFQ Submission Deadline**. The Building Committee may decline to accept responses received in unmarked envelopes that Region 14 opens in its normal course of business. The Building Committee may, but shall not be required to, return such responses and inform the respondent that the documents may be resubmitted in a sealed envelope properly marked as described above.

Responses may be withdrawn personally or in writing provided that Region 14 receives the withdrawal prior to the time and date of the response deadline. Responses are considered valid, and may not be withdrawn, cancelled or modified, for sixty (60) days after the response deadline, to give the Building Committee sufficient time to review the responses, investigate the respondents’ qualifications, secure any required municipal approvals, and take whatever additional steps the Building Committee in its sole discretion deems to be in its best interests.

An authorized person representing the legal entity of the respondent must sign the response and all forms included in this RFQ.

Responses shall be organized and presented in the order listed below to assist the Building Committee in reviewing them. Responses should be presented in sufficient detail to respond thoroughly to each requirement and expected service described in this RFQ:

- a. A Table of Contents, including clear identification of the material provided by section and number;
- b. A cover letter containing the respondent’s interest in providing the owner’s project management services and any other information that would assist the Region 14 Building Committee

in making a selection; c. The name, telephone number, and e-mail address of the person to be contacted for further information or clarification;

d. A background statement, including a description of the firm or individual submitting the proposal and the applicable State of Connecticut license numbers;

e. A list of the respondent's staff members, a description of their background and experiences, and a description of role(s) they have been assigned in similar consulting arrangements;

f. A complete list of similar professional service engagements during the most recent five (5) years, including the client name, and the client contact's name, address and telephone number. Please also identify by name and complete address all sub-consultants used to perform additional services;

g. A description of the respondent's overall approach to addressing the Building Committee's need for owner's project management services, including staff availability and the respondent's ability to respond timely to the Building Committee's request for assistance. Such description should address the Minimum and Preferred Qualifications set forth in Section 3 as well as the Required Disclosures of Section 12;

h. A concluding statement of the reasons the respondent believes it/he/she is best qualified to meet the Building Committee's needs;

i. The Background Disclosure Form attached to this RFQ and more fully described in Section 12 of these Standard Instructions;

j. The Legal Status Disclosure Form attached to this RFQ and more fully described in Section 14 of these Standard Instructions; and

k. The Statement of References Form attached to this RFQ and more fully described in Section 13 of these Standard Instructions.

## **8. QUESTIONS AND AMENDMENTS**

Questions concerning the process and procedures applicable to this RFQ or the other requirements of this RFP are to be submitted **in writing** (including by e-mail) and directed **only to**:

Name: Mr. Wayne McAllister, Director of Finance and Operations  
P.O. Box 469, 5 Minortown Rd. Woodbury, CT 06798  
[wmcallister@ctreg14.org](mailto:wmcallister@ctreg14.org)

**Respondents are prohibited from contacting any other Region 14 employee, officer or official concerning this RFQ. A respondent's failure to comply with this requirement may result in disqualification.**

The appropriate Region 14 representative listed above must receive any questions from respondents no later than five (5) business days before the response deadline. That representative will confirm receipt of a respondent's questions by e-mail. Region 14 will answer all written questions by issuing one or more addenda, which shall be a part of this RFQ, containing all questions received as provided for above and decisions regarding same.

At least four (4) calendar days prior to response deadline, the Region will post any addenda on its website, [www.ctreg14.org](http://www.ctreg14.org), under "Board of Education," "Building Projects." **Each respondent is responsible for checking the website to determine if the Region has issued any addenda and, if so, to complete its response in accordance with the RFQ as modified by the addenda.**

No oral statement of the Region 14 Building Committee, including oral statements by the Region 14 representatives listed above, shall be effective to waive, change or otherwise modify any of the provisions of this RFQ, and no respondent shall rely on any alleged oral statement.

**9. ADDITIONAL INFORMATION**

The Building Committee reserves the right to ask any respondent to clarify its response or to submit additional information that the Building Committee in its sole discretion deems desirable.

**10. COSTS FOR PREPARING RESPONSE**

Each respondent's costs incurred in developing its response are its sole responsibility, and Region 14 shall have no liability for such costs.

**11. OWNERSHIP OF RESPONSES**

All responses become Region 14's property and will not be returned to respondents.

**12. REQUIRED DISCLOSURES**

In its Background Disclosure Form each respondent must disclose, if applicable:

- Its inability or unwillingness to meet any requirement of this RFQ, including but not only any of the anticipated future RFP contract terms contained in Section 17, below;
- If it is listed on the State of Connecticut's Debarment List;

- If it is ineligible, pursuant to Conn. Gen. Stat. § 31-57b, to be awarded a contract because of occupational safety and health law violations;
- All resolved and pending arbitrations and litigation matters in which the respondent or any of its principals (regardless of place of employment) has been involved within the last ten (10) years;
- All criminal proceedings in which the respondent or any of its principals (regardless of place of employment) has ever been the subject; and
- Each instance in which it or any of its principals (regardless of place of employment) has ever been found to have violated any state or local ethics law, regulation, ordinance, code, policy or standard, or to have committed any other offense arising out of the submission of proposals or bids or the performance of work on public works projects or contracts.

A respondent's acceptability based on these disclosures lies solely in the Building Committee's discretion.

### **13. REFERENCES**

Each respondent must complete and submit the Statement of References Form included in this RFQ.

### **14. LEGAL STATUS**

Each respondent must complete and submit the Legal Status Disclosure Form included in this RFQ.

If a respondent is a corporation, limited liability company, or other business entity that is required to register with the Connecticut Secretary of the State's Office, it must have a current registration on file with that office. The Building Committee may, in its sole discretion, request acceptable evidence of any respondent's legal status.

### **15. EVALUATION CRITERIA**

The Region 14 Building Committee reserves the rights to amend or terminate this Request for Qualifications, to reject any or all respondents, to request additional information, to waive any informalities or non-material deficiencies in a response, and to take any and all other action that, in the Building Committee's sole judgment, will be in its best interests.

The Region 14 Building Committee will evaluate the responses to this RFQ and select a group of individuals and/or firms from whom RFP responses, including pricing information, shall be sought. The Region 14 Building Committee will consider the following factors, among others, in evaluating responses: experience, references, capabilities, past performance, and other relevant criteria,

including the following: accuracy, overall quality, thoroughness, and responsiveness to the Region 14 Building Committee's requirements as stated in this RFQ; the respondent's qualifications, experience, and ability to provide the services and expertise requested; ability to respond promptly to requests; past performance; and other criteria relevant to the Region's interests, including compliance with the procedural requirements stated in this RFP. The Region 14 Building Committee will not select a respondent who is in arrears or in default to the Towns of Woodbury or Bethlehem with regard to any tax, debt, contract, security or any other obligation.

The Region 14 Building Committee shall evaluate the qualifications and request proposals, including pricing information, on the basis of the factors described herein. On the basis of the received qualifications and proposals, the Region 14 Building Committee shall determine up to four (4) most responsible qualified proposers. The term "most responsible qualified proposers" means the proposer who is qualified by the Building Committee when considering price and the factors necessary for faithful performance of the School Project based on the criteria and scope of work included in the request for proposals. The Building Committee will select the most responsible qualified proposer, meaning that, in addition to price, due consideration will be given to factors such as a proposer's experience, references, capabilities, past performance, and other relevant criteria, including the Minimum and Preferred Qualifications set forth in Section 3 of this RFQ.

Such evaluation criteria shall include due consideration of the proposer's pricing for the School Project, experience with work of similar size and scope, organizational and team structure, past performance data, including, but not limited to, adherence to project schedules and project budgets and the number of change orders for projects, the approach to the work required for the contract and documented contract oversight capabilities, and other criteria specific to the project. The four (4) finalists will then be interviewed, and the Building Committee shall select the most responsible qualified proposer.

Following the receipt and evaluation of responses to 1) Requests for Qualifications, 2) Requests for Proposals, and 3) interviews of up to four (4) finalists, the Building Committee will issue a Preliminary Notice of Award. The Preliminary Notice of Award may be subject to further negotiations with the proposer. **The making of a preliminary award to a proposer does not provide the proposer with any rights and does not impose upon Region 14 any obligations. The Region 14 Building Committee is free to withdraw a preliminary award at any time and for any reason. A proposer has rights, and the Region 14 Building Committee has obligations, only if and when a contract is executed by the Building Committee and the proposer.**

If the proposer does not provide all required documents and execute the contract within ten (10) business days of the date of the Preliminary Notice of Award, unless extended by the Building Committee, the Building Committee may call any proposal security provided by the proposer and may enter into discussions with another proposer.

## **16. COMPLIANCE WITH IMMIGRATION LAWS**

By submitting a response, a respondent represents that it currently complies, and during the term of a contract resulting from an RFP will comply, with the Immigration Reform and Control Act (“IRCA”) and that each person it provides under any such future contract will at all times be authorized for employment in the United States of America. Each respondent confirms that it has a properly completed Employment Eligibility Verification, Form I-9, for each person who will be assigned under any contract resulting from an RFP and that it will require each subcontractor, if any, to confirm that it has a properly completed Form I-9 for each person who will be assigned under such contract.

## **17. CONTRACT TERMS**

As stated above, the purpose of this Request for Qualifications process is to identify the most qualified respondents. Following analysis of the responses to this Request for Qualifications, the Region 14 Building Committee intends to develop a list of prequalified individuals or firms who will be invited to participate in a subsequent RFP for the School Project. The Building Committee will then select up to four (4) finalists from the RFP respondents to be interviewed. Following interviews, the Building Committee shall issue a Preliminary Notice of Award to the finalist it deems to be the most responsible qualified proposer (the “Successful Proposer”).

The following provisions will be among the mandatory terms of the Region 14 Building Committee’s contract with a Successful Proposer. If a respondent is unwilling or unable to meet any of these Contract Terms, the respondent must disclose that inability or unwillingness in its Background Disclosure Form (see Section 12 of these Standard Instructions). The Region 14 Building Committee reserves the right to modify or include other provisions in its contracts as the Region 14 Building Committee, in its sole discretion, deems necessary or advisable in a given RFP.

### **a. DEFENSE, HOLD HARMLESS AND INDEMNIFICATION**

The Successful Proposer agrees, to the fullest extent permitted by law, to defend, indemnify, and hold harmless the Region 14, its employees, officers, officials, agents, volunteers and independent contractors, including any of the foregoing sued as individuals (collectively, the “Region 14 Indemnified Parties”), from and against all proceedings, suits, actions, claims, damages, injuries, awards, judgments, losses or expenses, including attorney’s fees, arising out of or relating, directly or indirectly, to the Successful Proposer’s malfeasance, misconduct, negligence or failure to meet its obligations under the RFQ or the Contract. The Successful Proposer’s obligations under this section shall not be limited in any way by any limitation on the amount or type of the Successful Proposer’s insurance. Nothing in this section shall obligate the Successful Proposer to indemnify the Region 14 Indemnified Parties against liability for damage arising out of bodily injury to persons or damage to property caused by or resulting from the negligence of the Region 14 Indemnified Parties.

In any and all claims against the Region 14 Indemnified Parties made or brought by any employee of the Successful Proposer, or anyone directly or indirectly employed or contracted with by the Successful Proposer, or anyone for whose acts or omissions the Successful Proposer is or may be liable, the Successful Proposer’s obligations under this section shall not be limited by any limitation

on the amount or type of damages, compensation or benefits payable by the Successful Proposer under workers' compensation acts, disability benefit acts, or other employee benefits acts.

The Successful Proposer shall also be required to pay any and all attorney's fees incurred by the region 14 Indemnified Parties in enforcing any of the Successful Proposer's obligations under this section, which obligations shall survive the termination or expiration of the RFP and the Contract.

**As a municipal agency of the State of Connecticut, Region 14 will NOT defend, indemnify, or hold harmless the Successful Proposer.**

b. COMPLIANCE WITH IMMIGRATION LAWS

The Successful Proposer shall defend, indemnify, and hold harmless Region 14, its employees, officers, officials, agents, volunteers and independent contractors, including any of the foregoing sued as individuals (collectively, the "Region 14 Indemnified Parties"), against any and all proceedings, suits, actions, claims, damages, injuries, awards, judgments, losses or expenses, including fines, penalties, punitive damages, attorney's fees and costs, brought or assessed against, or incurred by, the region 14 Indemnified Parties related to or arising from the obligations under the Immigration Reform and Control Act ("IRCA") imposed upon the Successful Proposer or its subcontractor. The Successful Proposer shall also be required to pay any and all attorney's fees and costs incurred by the Region 14 Indemnified Parties in enforcing any of the Successful Proposer's obligations under this provision, whether or not a lawsuit or other proceeding is commenced, which obligations shall survive the termination or expiration of the contract.

c. ADVERTISING

The Successful Proposer shall not name Region 14 in its advertising, news releases, or promotional efforts without Region 14's prior written approval.

If it chooses, the Successful Proposer may list Region 14 in a Statement of References or similar document required as part of its response to a public procurement. Region 14's permission to the Successful Proposer to do so is not a statement about the quality of the Successful Proposer's work or Region 14's endorsement of the Successful Proposer.

d. W-9 FORM

The Successful Proposer must provide Region 14 with a completed W-9 form before contract execution.

e. INSURANCE

The Successful Proposer shall maintain and keep in force, at its sole cost and expense, at least the insurance listed in the Insurance Requirements that are a part of this RFQ.

f. PAYMENTS

Proposers are encouraged to offer discounts for early payment. All other payments are to be made 30 days after the appropriate Region 14 employee receives and approves the invoice.

g. REGION 14 INSPECTION OF WORK

Region 14 may inspect the Successful Proposer's work at all reasonable times. This right of inspection is solely for the Region's benefit and does not transfer to the Region the responsibility for discovering patent or latent defects. The Successful Proposer has the sole and exclusive responsibility for performing in accordance with the contract.

h. REJECTED WORK OR MATERIALS

The Successful Proposer, at its sole cost and expense, shall remove from Region 14's property rejected items, commodities and/or work within 48 hours of the region's notice of rejection. Immediate removal may be required when safety or health issues are present.

i. MAINTENANCE AND AVAILABILITY OF RECORDS

The Successful Proposer shall maintain all records related to the work described in the RFQ for a period of five (5) years after final payment under the contract or until all pending, state and federal audits are completed, whichever is later. Such records shall be available for examination and audit by the Region, state and federal representatives during that time.

j. SUBCONTRACTING

Prior to entering into any subcontract agreement(s) for the work described in the contract, the Successful Proposer shall provide the Region 14 Building Committee with written notice of the identity (full legal name, street address, mailing address (if different from street address), and telephone number) of each proposed subcontractor. The Building Committee shall have the right to object to any proposed subcontractor by providing the Successful Proposer with written notice thereof within seven (7) business days of receipt of all required information about the proposed subcontractor. If the Building Committee objects to a proposed subcontractor, the Successful Proposer shall not use that subcontractor for any portion of the work described in the contract.

All permitted subcontracting shall be subject to the same terms and conditions as are applicable to the Successful Proposer. The Successful Proposer shall remain fully and solely liable and responsible to the Building Committee for performance of the work described in the contract. The Successful Proposer also agrees to promptly pay each of its subcontractors within thirty (30) days of receipt of payment from region 14 or otherwise in accordance with law. The Successful Proposer shall assure compliance with all requirements of the contract. The Successful Proposer shall also be fully and solely responsible to the Building Committee for the acts and omissions of its subcontractors and of persons employed, whether directly or indirectly, by its subcontractor(s).



k. WORKERS COMPENSATION

Prior to contract execution, Region 14 will require the Successful Proposer to provide a current statement from the State Treasurer that, to the best of the State Treasurer's knowledge and belief, as of the date of the statement, the Successful Proposer was not liable to the State for any workers' compensation payments made pursuant to Conn. Gen. Stat. § 31-355.

l. COMPLIANCE WITH LAWS

The Successful Proposer shall comply with all applicable laws, regulations, ordinances, codes and orders of the United States, the State of Connecticut and the Town of Woodbury related to its proposal and the performance of the work described in the contract.

m. LICENSES AND PERMITS

The Successful Proposer certifies that, throughout the contract term, it shall have and provide proof of all approvals, permits and licenses required by Region 14 and/or any local, state or federal authority. The Successful Proposer shall immediately and in writing notify Region 14 of the loss or suspension of any such approval, permit or license.

n. AMENDMENTS

The contract may not be altered or amended except by the written agreement of both parties.

o. ENTIRE AGREEMENT

It is expressly understood and agreed that the contract contains the entire agreement between the parties, and that the parties are not, and shall not be, bound by any stipulations, representations, agreements or promises, oral or otherwise, not printed or inserted in the contract or its attached exhibits.

p. VALIDITY

The invalidity of one or more of the phrases, sentences or clauses contained in the contract shall not affect the remaining portions so long as the material purposes of the contract can be determined and effectuated.

q. CONNECTICUT LAW AND COURTS

The contract shall be governed by and construed in accordance with the internal laws (as opposed to the conflicts of law provisions) of the State of Connecticut, and the parties irrevocably submit in any suit, action or proceeding arising out of the contract to the jurisdiction of the United States District Court for the District of Connecticut or of any court of the State of Connecticut, as applicable.

r. NON-EMPLOYMENT RELATIONSHIP

Region 14 and the Successful Proposer are independent parties. Nothing contained in the contract shall create, or be construed or deemed as creating, the relationships of principal and agent, partnership, joint venture, employer and employee, and/or any relationship other than that of independent parties contracting with each other solely for the purpose of carrying out the terms and conditions of the contract. The Successful Proposer understands and agrees that it is not entitled to employee benefits, including but not limited to workers compensation and employment insurance coverage, and disability. The Successful Proposer shall be solely responsible for any applicable taxes.

**END OF STANDARD INSTRUCTIONS**

## REGIONAL SCHOOL DISTRICT 14

### INSURANCE REQUIREMENTS

#### RFQ #1516-002

The Successful Proposer shall agree to maintain in force at all times during which services are to be performed the following coverages placed with company(ies) licensed by the State of Connecticut that have at least an “A-” VIII policyholders rating according to Best Publication’s latest edition Key Rating Guide.

		(Minimum Limits)
General Liability*	Each Occurrence	\$1,000,000
	General Aggregate	\$2,000,000
	Products/Completed Operations Aggregate	\$2,000,000
Auto Liability*	Combined Single Limit	
	Each Accident	\$1,000,000
Professional Liability	Each Claim or Each Occurrence	\$1,000,000
	Aggregate	\$1,000,000
Umbrella* (Excess Liability)	Each Occurrence	\$5,000,000
	Aggregate	\$5,000,000

\* “Regional School District 14” shall be named as “Additional Insured”. Coverage is to be provided on a primary, noncontributory basis.

If any policy is written on a “Claims Made” basis, the policy must be continually renewed for a minimum of two (2) years from the completion date of the contract. If the policy is replaced and/or the retroactive date is changed, then the expiring policy must be endorsed to extend the reporting period for claims for the policy in effect during the contract for two (2) years from the completion date.

#### Workers’ Compensation and WC Statutory Limits

Employers’ Liability	EL Each Accident	\$100,000
	EL Disease Each Employee	\$100,000
	EL Disease Policy Limit	\$500,000

Original, completed Certificates of Insurance must be presented to Region 14 prior to purchase order/contract issuance. The Successful Proposer agrees to provide replacement/renewal certificates at least 60 days prior to the expiration of any policy. Should any of the above described policies be cancelled before the expiration date, written notice must be given to Region 14 30 days prior to cancellation. **END OF INSURANCE REQUIREMENTS**





\_\_\_\_\_ Yes \_\_\_\_\_ No

If “yes,” attach a sheet fully describing each such matter.

4. Arbitration/Litigation

Has either the respondent or any of its principals (regardless of place of employment) been involved for the most recent ten (10) years in any resolved or pending arbitration or litigation?

\_\_\_\_\_ Yes  
\_\_\_\_\_ No

If “yes,” attach a sheet fully describing each such matter.

5. Criminal Proceedings

Has the respondent or any of its principals (regardless of place of employment) ever been the subject of any criminal proceedings?

\_\_\_\_\_ Yes  
\_\_\_\_\_ No

If “yes,” attach a sheet fully describing each such matter.

6. Ethics and Offenses in Public Projects or Contracts

Has either the respondent or any of its principals (regardless of place of employment) ever been found to have violated any state or local ethics law, regulation, ordinance, code, policy or standard, or to have committed any other offense arising out of the submission of proposals or bids or the performance of work on public works projects or contracts?

\_\_\_\_\_ Yes  
\_\_\_\_\_ No

If “yes,” attach a sheet fully describing each such matter.

BY \_\_\_\_\_  
NAME)

TITLE: \_\_\_\_\_

(PRINT

\_\_\_\_\_  
(SIGNATURE)

DATE: \_\_\_\_\_

**END OF BACKGROUND DISCLOSURE FORM  
REGIONAL SCHOOL DISTRICT 14**

**LEGAL STATUS DISCLOSURE FORM**

**RFQ # 1516-002**

Please fully complete the applicable section below, attaching a separate sheet if you need additional space.

For purposes of this disclosure, “permanent place of business” means an office continuously maintained, occupied and used by the respondent’s regular employees regularly in attendance to carry on the respondent’s business in the respondent’s own name. An office maintained, occupied and used by a respondent only for the duration of a contract will not be considered a permanent place of business. An office maintained, occupied and used by a person affiliated with a respondent will not be considered a permanent place of business of the respondent.

**IF A SOLELY OWNED BUSINESS:**

Respondent’s Full Legal Name \_\_\_\_\_

Street Address \_\_\_\_\_

Mailing Address (if different from Street Address) \_\_\_\_\_

Owner’s Full Legal Name \_\_\_\_\_

Number of years engaged in business under sole proprietor or trade name \_\_\_\_\_

Does the respondent have a “permanent place of business” in Connecticut, as defined above? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please state the full street address (not a post office box) of that “permanent place of business.”

\_\_\_\_\_

**IF A CORPORATION:**

Respondent’s Full Legal Name \_\_\_\_\_

Street Address \_\_\_\_\_

Mailing Address (if different from Street Address) \_\_\_\_\_

Owner’s Full Legal Name \_\_\_\_\_

Number of years engaged in business \_\_\_\_\_

Names of Current Officers

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chief Financial Officer

Does the respondent have a “permanent place of business” in Connecticut, as defined above?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please state the full street address (not a post office box) of that  
“permanent place of business.”

\_\_\_\_\_

**IF A LIMITED LIABILITY COMPANY:**

Respondent’s Full Legal Name \_\_\_\_\_

Street Address \_\_\_\_\_

Mailing Address (if different from Street Address) \_\_\_\_\_

Owner’s Full Legal Name

Number of years engaged in business

Names of Current Manager(s) and Member(s)

\_\_\_\_\_  
Name & Title (if any) Residential Address (street only)

\_\_\_\_\_  
Name & Title (if any) Residential Address (street only)

\_\_\_\_\_  
Name & Title (if any) Residential Address (street only)

\_\_\_\_\_  
Name & Title (if any) Residential Address (street only)

Does the respondent have a “permanent place of business” in Connecticut, as defined above?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please state the full street address (not a post office box) of that  
“permanent place of business.”

\_\_\_\_\_

**IF A PARTNERSHIP:**

Respondent’s Full Legal Name \_\_\_\_\_



Street Address \_\_\_\_\_  
Mailing Address (if different from Street Address) \_\_\_\_\_  
Owner's Full Legal Name \_\_\_\_\_

Number of years engaged in business \_\_\_\_\_

Names of Current Partners \_\_\_\_\_

\_\_\_\_\_  
Name & Title (if any)

\_\_\_\_\_  
Residential Address (street only)

\_\_\_\_\_  
Name & Title (if any)

\_\_\_\_\_  
Residential Address (street only)

\_\_\_\_\_  
Name & Title (if any)

\_\_\_\_\_  
Residential Address (street only)

\_\_\_\_\_  
Name & Title (if any)

\_\_\_\_\_  
Residential Address (street only)

Does the respondent have a "permanent place of business" in Connecticut, as defined above?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please state the full street address (not a post office box) of that  
"permanent place of business."

\_\_\_\_\_

\*\*\*\*\*

\*

\_\_\_\_\_  
Respondent's Full Legal Name

\_\_\_\_\_  
(print)  
Name and Title of Respondent's Authorized Representative

\_\_\_\_\_  
(signature)  
Respondent's Representative, Duly Authorized

\_\_\_\_\_  
Date

**END OF LEGAL STATUS DISCLOSURE FORM**

**REGIONAL SCHOOL DISTRICT 14**  
**STATEMENT OF REFERENCES FORM**

**RFQ #1516-002**

Provide at least three (3) references:

1. BUSINESS NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY, STATE \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_  
INDIVIDUAL CONTACT NAME AND POSITION \_\_\_\_\_  
\_\_\_\_\_
  
2. BUSINESS NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY, STATE \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_  
INDIVIDUAL CONTACT NAME AND POSITION \_\_\_\_\_  
\_\_\_\_\_
  
3. BUSINESS NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY, STATE \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_  
INDIVIDUAL CONTACT NAME AND POSITION \_\_\_\_\_  
\_\_\_\_\_

**END OF STATEMENT OF REFERENCES FORM**

