

CHAPPAQUA CENTRAL SCHOOL DISTRICT

REQUEST FOR PROPOSALS

**CCSD RFP#2022-06:
ARCHITECTURAL/ENGINEERING SERVICES**

December 2022

***Chappaqua Central School District
66 Roaring Brook Road
Chappaqua, NY 10514***

**REQUEST FOR PROPOSAL
ARCHITECTURAL & ENGINEERING SERVICES**

INTRODUCTION

Chappaqua Central School District is currently soliciting proposals for qualified architectural/engineering services for the purpose of design and implementation of a \$33.5M capital bond project approved by the voters on November 29, 2022. The scope of work will include a new storage building, outdoor restroom facilities, roofing replacements, HVAC replacements, electric upgrades, sitework and various other projects.

Submission Deadline:

Proposals must be received by Chappaqua Central School District no later than 11:00 a.m. on January 6, 2023

Purpose of this Request for Proposal

The Chappaqua Central School District is soliciting proposals from qualified architect/engineering services firms for the provision of professional services associated with various projects included in the November 29, 2022 voter approved bond project as well as annual Capital Appropriation projects and as-needed services.

Scope of Work:

Architect/Engineering services include, but are not limited to:

- Preparation and submission of required NY State Education Department documents
- Development of Cost Estimates at each phase of design and reconciliation of these estimates with the Construction Manager
- Pre-design Services
- Schematic Design Services
- Preparation of Construction Documents
- Preparation of Bid Specifications
- Construction Administration Services
- Field Supervision (When Necessary)
- Post Construction/Closeout
- Construction Services

The Architect/Engineer shall also be responsible, directly or through an outside consultant/subcontractor, for all Civil Engineering, Landscape Architecture, Roofing, Asbestos/Hazardous Material design, Theatrical Lighting, Audio Visual and other design services as required.

As Needed Projects

In addition, the District will need architect/engineering services for as needed projects including but not limited to annual capital appropriation projects included in the operating budget, building condition survey, visual inspection, as requested by the District.

District Information:

The Chappaqua Central School District is a nationally renowned, suburban public school system characterized by highly motivated students, a broadly educated and talented staff, and an actively involved parent community. The district maintains six school buildings for students in grades K through 12 located in the Town of New Castle, Westchester County, New York.

School Buildings: 1 high school, 2 middle schools and 3 elementary schools

Enrollment: 3,580 students

Other Buildings: 1 Central Office, 1 Maintenance Facility

On November 29, 2022 the voters of the Chappaqua Central School District approved a \$33.9 Bond Project. Additionally, the District anticipates annual Capital Appropriation projects with budgets between \$500,000 and \$2,250,000 in the coming years. (See Appendix A for November 29, 2022 Voter Approved Bond Scope.)

Proposal Format and Contents:

NOTE: Consultant proposal should be based on provision of industry standard services and deliverables similar to the requirements under an AIA form agreement.

The detailed proposal shall:

1. Provide general background information about the firm, including the firm's history, present capacity, in-house disciplines and an organization chart.
2. List the firm's principal owners/partners and key personnel and their backgrounds including resumes, qualifications and related project experience of staff members who will be assigned to work on District projects. Indicate if the firm is a partnership, professional corporation, individual, joint venture, or other form of organization.
3. Describe the firm's capability to provide evaluation of needs assessment, programming, space planning, cost estimating, and design and construction administration services. For any services provided by outside consultants, provide key personnel and their backgrounds including resumes, qualifications and related project experience for each proposed consulting firm. The use of outside consultants/subcontractors is subject to the review and approval of the District.
4. Describe the typical scope of services the firm has provided for similar school districts in New York State.
5. Provide evidence of insurance coverage as set forth in the "Insurance Requirements" section below.
6. Provide completed compensation schedule which is provided in this RFP.

7. Describe any experience in representing owners in the avoidance, analysis, and/or resolution of construction claims.
8. Include in the firm's submission consideration of the seven (7) items listed below:
 - Proximity of the architectural firm's offices with respect to the Chappaqua area.
 - If the firm does not have in-house capabilities to complete all design work associated with the projects, sub-consultant firms that will provide those services shall be identified as part of the proposal. The proposal shall include information about providing architectural, structural, electrical, plumbing, mechanical, geotechnical, landscape architecture services, and cost estimating as necessary.
 - If invited to interview, it is anticipated that the persons representing the architectural firm and any sub-consultants will be the same persons assuming the lead roles in District projects.
 - The proposal should demonstrate familiarity with New York State and State Education Department (SED) requirements.
 - Demonstrate what means of quality control the firm has implemented.
 - Describe the firm's current workload (with specific information about each entity, the nature and scope of the project, anticipated completion date) with regard to the firm's capacity to add another client.
 - Project Cost Control – Previous record in meeting budgets and the proposed plan for controlling costs on a project.
9. Provide a brief conclusive summary of why the firm (or team) should be selected by the District. Append any other additional information that you feel would be relevant in the evaluation of the firm's proposal.
10. Provide the names, addresses and telephone numbers for a minimum of five (5) references from New York school districts for whom the firm has provided similar nature and scope of services.

Proposal Evaluation Criteria:

1. **Experience and Qualifications of the Firm:** Consideration will be given to firms demonstrating strong capabilities, experience and reputation in undertaking similar projects associated with construction, partial reconstruction and renovation of educational facilities. Similar experience will be understood to include, but not be limited to:
 - A minimum of ten (10) years experience in the provision of a full range of architectural and engineering services on projects associated with school districts in New York State.
 - Previous experience of work involving educational facilities, awards or commendations, cost effective performance, and demonstrated ability.
2. **Proposals shall be evaluated based upon the following:**
 - A. Professional Qualifications
 - B. Prior experience, particularly with New York State school districts
 - C. Total proposed price for the District
 - D. Proposer's demonstrated capabilities
(Financial solvency, location, past experience working with school districts and working with Facilities Planning Department of SED to get projects approved.)

- E. Length of time in business
- F. Client references
- G. Staffing in general, and specifically for the District.

The District intends to select individuals/firms that, in their opinion, best meet the District's needs, and not necessarily the firm(s) whose fees are the lowest.

Results and Contract Award Process

All proposals will be opened publicly at the above-mentioned deadline date and time. It is the Proposer's sole responsibility to ensure that the RFP response is received by the District at the location, date and time indicated in this RFP. The original copy of all proposals received will be kept on file in the office of the District Purchasing Agent.

Copies will be distributed as follows: Superintendent of Schools, Board of Education, Selected Members of the Facilities Committee, the Assistant Superintendent for Business and the Director of Facilities.

Scoring criteria will be based on the information each firm provides in the "RFP Requirements" and "Proposal Evaluation Criteria" sections of this RFP.

After the review and evaluation of all proposals, the Board of Education, administrators and consultants may elect to interview a group of selected firms before the award of the contract.

It is the intent of the Board of Education to award a contract for Architectural & Engineering Design Services within a reasonable time after the RFP deadline. An award by the Board of Education shall be subject to successful contract negotiations.

Right to Reject Proposals:

The Board of Education reserves the right to reject, without prejudice, any and all proposals received under this Request for Proposal, to request additional information from some or all proposers, and to negotiate the terms of the engagement.

Each firm responding to this RFP must provide one (1) original and five (5) additional copies of the proposal. Finalists may be required to meet with District officials and/or the Facilities Committee.

Questions Regarding this RFP or request for a Pre-Proposal Walk-Through:

Questions concerning this RFP and the procedures for responding, or a request to visit the school district, should be directed to **Andrew B. Lennon, Assistant Superintendent for Business at (914) 238-7200 ext. 1006.**

Insurance Requirements:

The Contractor, at its sole cost and expense, shall provide the District with proof of insurance coverage in accordance with APPENDIX C.

Coverage shall be maintained without interruption throughout the duration of this service agreement. Failure to obtain and maintain such coverage will be considered a material breach of the contract.

Submission Packet:

Information and Documents

1. Proposal should be clearly identified on the envelope as follows:

CCSD RFP #2022-06: Architect/Engineering Services

2. Proposal should be sent to: **Anne Holmquist, Purchasing Agent
Chappaqua Central School District
66 Roaring Brook Road
Chappaqua, NY 10514**
3. Proposals must be received no later than 11:00 a.m. on January 6, 2023.
4. Include one (1) original and five (5) copies of proposal with submission. An electronic copy of the complete proposal shall also be provided upon request of the district.
5. Each proposal packet must contain the following documents:
 - a. Proposal narrative listed under "Proposal Format and Contents"
 - b. Completed "Proposal Sheet" (attached Appendix B)
 - c. Completed "Statement of Non-Collusion" (attached Appendix D)
 - d. Hold Harmless (attached Appendix E)
 - e. Proposer Warranties (attached Appendix F)
 - f. Iran Divestment Act of 2012 Certification (attached Appendix G)
 - g. Sexual Harassment Certification (attached Appendix H)

November 29, 2022 Capital Bond Budget Summary

Proposition #1 (Approved by Voters)

Roof Replacement (All buildings)	\$8,500,000
<i>Communications Upgrades (Network & Fiber Optics at all buildings) *</i>	\$4,983,770
Greeley J Bridge Replacement	\$820,504
Paving Projects HG/WO	\$1,468,000
Electrical Panel/Underground Feeder Cable at HGHS Gym	\$447,000
HVAC Needs Based on Current Conditions (All Buildings)	\$5,426,470
Greeley Fire Alarm System Replacement	\$768,645
Playground Resurfacing	\$895,997
Light Stands Greeley Tennis Court - Replacement	\$584,170
<i>Electronic Locks at Elementary and Middle Schools*</i>	\$838,108
Greeley L Building Air Conditioning	\$1,229,832
Gym Air Conditioning/All Buildings	\$2,067,655
Cafeteria AC at all buildings	\$2,213,359
Outdoor Bathrooms at Greeley	\$1,152,968
Auditorium Lighting & Curtain Upgrade at Greeley	\$872,827
Storage at Greeley Athletic Complex	\$768,645
Modified Baseball Field at Seven Bridges	\$500,000
Total Project Authorization (excluding Capitalized Interest)**	\$33,537,950

Notes:

* Projects with asterisk (*) to be designed and managed by others

** Total Project Authorization includes all project costs including Materials, Labor, Architecture, Engineering and all other professional services and other costs. Excludes Capitalized Interest included in Bond Authorization of \$33,985,000.

Additional information on the scope of this project can be found at the link below:

<https://www.chappaquaschools.org/district/departments/business-office/budget-information/budget-information-2022-2023/capital-projects-bond-2022>

CHAPPAQUA Central School District

PROPOSAL SHEET**Architectural/Engineering Proposal**

Date: _____

Name of Firm: _____

Address: _____

Telephone #: _____ Email: _____

Compensation Schedule (A & B):**A. Architectural/Engineering Services – Capital Bond Project**

Fee for architectural & engineering services as outlined in Appendix A:

\$ _____

B. Architectural/Engineering Services – As Needed Basis:

Projects vary in scope and complexity and therefore this impacts the amount of time and effort required to complete a specific project scope. The compensation schedule should indicate the maximum percentage. Upon review of the specific scope, the time required to complete the project might be less, therefore, the firm and the district may negotiate a fixed sum. Reimbursable expenses should not be included in the compensation schedule below. District will reimburse expenses that include all printing and mailing costs associated with each project, as requested by the district, required to secure all permits, and as required by public bidding.

Category	1	2	3	4	5
Construction Budget	Under \$500,000	\$500,000 to \$1,000,000	\$1,000,000 to \$2,000,000	\$2,000,000 to \$4,000,000	Over \$4,000,000
Percentage (Please fill in)					

As part of your proposal submission, please provide a proposed structure for your firm's charges for services through each phase of a project and a listing of hourly billing rates.

Signature

Name/Title

Date

INSURANCE AGREEMENT

- I. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the Architect/Engineer hereby agrees to effectuate the naming of the district as an additional insured on the firm's insurance policies, with the exception of workers' compensation and N.Y. State disability.

- II. The policy naming the district as an additional insured must:
 - Be purchased from an A.M. Best rated "secure" insurer, licensed to conduct business in New York State. A New York licensed and admitted insurer is strongly preferred.
 - State that the organization's coverage shall be primary and non-contributory coverage for the District, its Board, officers, employees and volunteers with a waiver of subrogation in favor of the District.
 - Additional insured status shall be provided by standard or other endorsements that extend coverage to the District (CG 20 26) or equivalent. The decision to accept an endorsement rests solely with the District. A completed copy of the endorsements must be attached to the Certificate of Insurance.
 - The Certificate of Insurance must describe the specific services provided by the contractor (e.g., architectural, engineering, construction management services) that are covered by the liability policies.
 - At the District's request, the architect/engineer shall provide a copy of the declaration page of the liability and umbrella/excess policies with a list of endorsements and forms. If so requested, the architect/engineer will provide a copy of the policy endorsements and forms.

- III. The architect/engineer agrees to indemnify the District for any applicable deductibles and self-insured retentions.

- IV. Required Minimum Insurance:
 - **Commercial General Liability Insurance**
\$1,000,000 per Occurrence/ \$2,000,000 Aggregate
\$2,000,000 Products and Completed Operations
\$1,000,000 Personal and Advertising Injury
\$100,000 Fire Damage
\$10,000 Medical Expense

 - **Automobile Liability**
\$1,000,000 combined single limit for owned, hired, borrowed and non-owned motor vehicles.

 - **Workers' Compensation and N.Y.S. Disability**
 Statutory Workers' Compensation (C-105.2 or U-26.3); and NYS Disability Insurance (DB- 120.1) for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable. A person seeking an exemption must file a CE-200 Form with the state. The form can be completed and submitted directly to the WC Board online.

 - **Errors and Omissions Liability Insurance**
\$2,000,000 per occurrence/\$2,000,000 aggregate for the professional acts of the consultant performed under the contract for the District. If written on a "claims-made" basis, the effective date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for three years following the completion of work.

- ***Umbrella/Excess Insurance***

\$3 million each Occurrence and Aggregate. Umbrella/Excess coverage shall be on a follow-form basis over the required Auto Liability, General Liability and Professional Liability coverages.

- V. The architect/engineer acknowledges that failure to obtain and maintain such insurance on behalf of the District constitutes a material breach of contract. The architect/engineer must provide the District with a Certificate of Insurance, evidencing the above requirements have been met, prior to the commencement of work.

NON-COLLUSIVE BIDDING CERTIFICATION

Section 103-d, General Municipal Law. Statement of non-collusion in bids and proposals to political subdivision of the state. Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency, or official thereof where competitive bidding is required by statute, rule, regulation or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidders and affirmed by such bidder as true under the penalties of perjury,

- a. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of any joint bid each party thereto certified as to its own organization, under penalty of perjury, that to the best of knowledge and belief:
 - 1 The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with another bidder or with any competitor,
 - 2 Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
 - 3 No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.
- b. Any bid shall not be considered for award nor shall any award be made where (a) (1) (2) and (3) above have not been complied with; provided however, that if in any case the bidder shall so state and furnish with the bid a signed statement which sets forth in detail the reason therefor. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of subparagraph one (a).

Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to include the signing and submission of the bid and the inclusion as the act and deed of the corporation.

Firm Name: _____

Signed: _____ Title _____

Date: _____

CHAPPAQUA CENTRAL SCHOOL DISTRICT

HOLD HARMLESS AGREEMENT

The undersigned hereby agrees to defend, indemnify, and save harmless the Chappaqua Central School District from and against any and all liability, loss, damages, claims for bodily injury and/or property damages, cost and expense, including attorney's fees and costs that may occur or that may be alleged to have occurred in the course of the performance of this agreement by the architect/engineer, whether such claims shall be made by their employee or by a third party. The architect/engineer covenants and agrees that they will pay all costs and expenses arising therefrom and in connection therewith, and if any judgment shall be rendered against the Owner, in any such litigation, the architect/engineer shall at their own expense satisfy and discharge the same.

By: _____

(Signature of Authorized Representative of Corporation/Firm)

Print Name & Title: _____

Company Name: _____

Date: _____

PROPOSER WARRANTIES

- A. Proposer warrants that it is willing and able to comply with State of New York laws and regulations.
- B. Proposer warrants that it is willing and able to obtain an error and omissions insurance policy providing a prudent amount of coverage for the willful or negligent acts, or omissions of any officers, employees or agents thereof.
- C. Proposer warrants that it will not delegate or subcontract its responsibilities under an agreement without the express prior written permission of the Chappaqua Central School District.
- D. Proposer warrants that all information provided by it in connection with this proposal is true and accurate.

Firm's Name

Address

City, State, Zip

(Print Name)

(Signature)

(Phone)

(Fax)

IRAN DIVESTMENT ACT COMPLIANCE RIDER AND CERTIFICATION

The Iran Divestment Act of 2012, effective as of April 12, 2012, is codified at State Finance Law (“SFL”) §165-a and General Municipal Law (“GML”) §103-g. The Iran Divestment Act, with certain exceptions, prohibits municipalities, including the District, from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Pursuant to the terms set forth in SFL §165-a and GML §103-g, a person engages in investment activities in the energy sector of Iran if:

- a. The person provides goods or services of twenty million dollars or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or
- b. The person is a financial institution that extends twenty million dollars or more in credit to another person, for forty-five days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created pursuant to paragraph (b) of subdivision three of Section 165-a of the SFL and maintained by the Commissioner of the Office of General Services.

Each bidder or proposer must certify that it is not on the list of entities engaged in investment activities in Iran created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the SFL. In any case where the bidder or proposer cannot certify that it is not on such list, the bidder or proposer shall so state and shall furnish with the bid or proposal a signed statement which sets forth in detail the reasons why such statement cannot be made. The District may award a bid to a bidder who cannot make the certificate on a case by case basis if:

1. The investment activities in Iran were made before the effective date of this section (i.e., April 12, 2012), the investment activities in Iran have not been expanded or renewed after the effective date of this section and the person has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The District makes a determination that the goods or services are necessary for the District to perform its functions and that, absent an exemption, the District would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

A bid or proposal shall not be considered for award nor shall any award be made where the bidder or proposer fails to submit a signed and verified bidder’s certification.

CERTIFICATION - IRAN DIVESTMENT ACT OF 2012

(This form must be signed and notarized, and submitted with Proposal)

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, added new provisions to the State Finance Law (SFL), §165-a and General Municipal Law (GML) §103-g effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b) and GML §103-g, the initial list is expected to be issued no later than 120 days after the Act’s effective date, at which time it will be posted on the OGS website.

By submitting a response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Proposer (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list. Additionally, Proposer is advised that once the list is posted on the OGS website, any Proposer seeking to enter into, renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is bid upon or a proposal submitted, or the contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should District receive information that a person is in violation of the above-referenced certification, District will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then District shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

District reserves the right to reject any bid, proposal or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Signature: _____ Date: _____

Sworn to before me this _____
day of _____, 2023

Notary Public

Sexual Harassment Certification

In accordance with State Finance Law §138-1, which generally prohibits the School District from entering into contracts pursuant to the bid/RFP process with persons who fail to submit a certification affirming compliance with New York State Labor Law §201-g, the proposer submit the following certification under the penalty of perjury:

By submission of this proposal, each proposer and each person signing on behalf of any proposer, certifies, and in the case of a joint bid/proposal each party thereto certifies as to its own organization, under penalty of perjury, that the proposer has implemented written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment training to all of its employees. Such policy shall, at a minimum, meet the requirements of Section 201-g of the NYS Labor Law.

Dated: _____, New York
_____, 2023

Firm's Name

(Print Name)

(Signature)

Sworn to before me this _____
day of _____, 2023

Notary Public