

ADDENDUM NO. 2

(Issued August 8, 2024)

Request for Qualifications and Proposals

Lease-Leaseback Contractors

New Classroom Building and Modernization Project
Melrose Leadership Academy at Maxwell Park ES Site
Project #22126

The following changes, additions, modifications and corrections hereinafter set forth shall apply to the proposal documents for the project and shall be made a part thereof and subject to all the requirements thereof, as if originally specified and/or shown;

Question #1:

Please clarify if the \$22.2M listed as the anticipated construction cost/budget on Exhibit A should be used as the hypothetical direct cost for item B on Exhibit B.

District Response #1:

Confirmed.

Question #2:

Will the District be providing a draft agreement to review and be requesting comments in our RFP response?

District Response #2:

Lease-Leaseback Agreement Documents are being revised and final versions are not available for review at this time. The documents tentatively will be ready to issue to the short-listed firms.

Question #3:

Section 14, page 11 identifies a tiered points system allocating points based on percentage above the low response. If there are multiple responses that fall in the 0-2% range, will each firm in that range receive 48 points or just the next lowest firm?

District Response #3:

Those firms will receive the same points.

Question #4:

Please provide building type and square footage for the new and existing structures on campus for the purpose of obtaining builders risk insurance quotes.

District Response #4:

Building "A" (existing building) is a Type III-B with 34,112 s.f. and Building "B" (new building) will be a Type V-B with 11,984 s.f. Four existing portables are Type V-B totaling 3,840 s.f.

The 100% Schematic Design, Spec TOC and Project Narratives have been uploaded to the Reference Document Folder:

<https://drive.google.com/drive/folders/OAEsaIIndmEuUIUk9PVA>

Question #5:

Please advise if earthquake and flood coverage is to be included in builders risk insurance coverage.

District Response #5:

Coverages shall be provided in accordance with the District's standard General Conditions as follows:

11.1.6 BUILDER'S RISK / "ALL RISK" INSURANCE

11.1.6.1 COURSE-OF-CONSTRUCTION INSURANCE REQUIREMENTS

Unless provided by Owner at Owner's sole discretion, Contractor, during the progress of the Work and until final acceptance of the Work by Owner upon Completion of the entire Contract, shall maintain Builder's Risk/Course-of-Construction insurance satisfactory to the Owner, issued on a completed value basis on all insurable Work included under the Contract Documents. This insurance shall insure against all risks, including, but not limited to, the following perils: Vandalism, theft, malicious mischief, fire, sprinkler leakage, civil authority, sonic boom, explosion, collapse, flood including tidal wave (however, for projects not solely funded through revenue bonds, Contractor is only required to provide insurance for damages caused by a tidal wave up to 5% of the Contract Sum [except as provided in Section 11.1.6.2, below; see Public Contract Code §7105(a)]), earthquake (however, for projects not solely funded through revenue bonds, Contractor is only required to provide insurance for damages caused by an earthquake above 3.5 magnitude on the Richter Scale up to 5% of the Contract Sum [except as provided in Section 11.1.6.3, below; see Public Contract Code §7105(a)]), wind, hail, lightning, smoke, riot or civil commotion, debris removal (including demolition) and reasonable compensation for the Architect's services and expenses required as a result of such insured loss. This insurance shall provide coverage in an amount not less than the full cost to repair, replace or reconstruct the Work. Such insurance shall include the Owner, the Architect, and any other person or entity with an insurable interest in the Work as an additional named insured.

The Contractor shall submit to the Owner for its approval all items deemed to be uninsurable under the Builder's Risk/Course-of Construction insurance. The risk of the damage to the Work due to the perils covered by the Builder's Risk/Course-of-Construction insurance, as well as any other hazard which might result in damage to the Work, is that of the Contractor and the surety, and no claims for such loss or damage shall be recognized by the Owner, nor will such loss or damage excuse the Complete and satisfactory performance of the Contract by the Contractor.

11.1.6.2 TIDAL WAVE INSURANCE

If the Contract is not solely funded through revenue bonds and Owner accepts an alternate bid by Contractor for insurance coverage for a tidal wave, Contractor shall maintain, in effect during the Work and until final acceptance of the Work by Owner upon Completion of the entire Contract, insurance providing coverage for loss, destruction or damage arising out of or caused by tidal wave and other similar acts of God. This insurance shall provide coverage in an amount not less than the full cost to repair, replace or reconstruct the Work.

11.1.6.3 EARTHQUAKE INSURANCE

If the Contract is not solely funded through revenue bonds and Owner accepts an alternate bid by Contractor for insurance coverage for an earthquake over 3.5 on the Richter Scale, Contractor shall maintain, in effect during the Work and until final acceptance of the Work by Owner upon Completion of the entire Contract, insurance providing coverage for loss, destruction or damage arising out of or caused by earthquake and/or other earth movement, whether seismic or volcanic in origin, over 3.5 on the Richter Scale in magnitude. This insurance shall provide coverage in an amount not less than the full cost to repair, replace or reconstruct the Work.

Question #6:

Exhibit A of the RFP identifies a 29 month schedule. When does the District anticipate receiving DSA approval? Will the project be submitted in increments? If so, what is the anticipated DSA approval dates of each increment? Should we propose a schedule for construction in our RFP response?

District Response #6:

Submittals to DSA as Increments have not been determined at this time. DSA submittal is tentatively scheduled to be made in May 2025 with approval projected for December 2025. Schedule for construction was not requested in the RFQ/P. Contractors are encouraged to provide a narrative of their experience and approach with project acceleration, phasing, new construction and modernization projects.

Question #7:

Exhibit B Fee Proposal request a \$ figure for general conditions. Should we provide a per month cost, a total cost based on 29 months, or a total cost based on our proposed construction schedule?

District Response #7:

Provide a total cost based on District's anticipated 29 month construction duration.

Question #8:

Exhibit B Fee Proposal notes to provide % costs for bonds and insurance coverage per section 3.01-3.19 and Article 1.2.1 of the facilities lease. Please provide the referenced contract documents.

District Response #8:

Full versions of the OUSD Facilities Lease and OUSD Site Lease can be found in the following link:
<https://drive.google.com/drive/folders/OAEsaIIndmEuUJk9PVA>

Question #9:

Please confirm the hypothetical cost referenced in Exhibit B Fee Proposal is \$22.2 Million Dollars.

District Response #9:

Confirmed.

Question #10:

Section 12.2.4 Appendix requires submission of Exhibit K Local Business Participation Form. Without a contract amount, final bid documents and a GMP the % of Contract cannot be determined. Please confirm that this will be submitted at a later date?

District Response #10:

In lieu of the Exhibit K Local Business Participation Form, complete and include the Local Business Utilization Affirmation Form with the requested narrative. Exhibit K shall be submitted at a later date by the selected firm.

Question #11:

Under the Relevant/Recent Experience tab where it asks for our List of Projects delivered in the past five years, would it be acceptable to include this list of projects with all of the required project information in the appendix or just not have it count towards the page count?

District Response #11:

Yes.

Question #12:

In Exhibit B Fee Proposal, Section B Direction Costs, it asks for a hypothetical value. What value would OUSD like us to use so that all proposals have equal footing?

District Response #12:

The hypothetical value would vary according to the values assigned to General Conditions, Bonds & Insurance, Overhead and Profit Fee (assuming the Contractor's Price Proposal equals the District's \$22.2 Million Budget).

Question #13:

Section B. Content of Proposal – please confirm the following are not required in the proposal submittal:

- **Question 13a:** Fingerprinting Notice and Acknowledgement – the form states to provide after award, please confirm.

District Response #13a

Provide documents as requested in Section 12.2.4 of RFQ/P.

- **Question 13b:**

Site Visit Certification – as pre-bid site visit was not mandatory, please confirm it is not required.

District Response #13b:

Confirmed.

- **Question 13c:**

Roof Project Certification – the form states at the top: “This form is only required for replacement or repair of more than 25% of a roof for a total cost over \$21,000.” Please confirm this is not needed.

District Response #13c:

Submit the Roof Project Certification in anticipation that the existing Building “A” will require re-roofing as part of the building's modernization work.

- **Question 13d:**
Designation of Subcontractors – our understanding is that since this is a lease-leaseback, there is no pricing required for us to list subcontractors.
District Response #13d:
Listing of subcontractors is optional per Section 7.1.1 of the RFQ/P. For subcontractors not identified in the proposal, follow the procedure per Section 7.1.2 of the RFQ/P.
- **Question 13e:**
Local Business Participation Worksheet – please confirm this will need to be provided after award.
District Response #13e:
See District Response #10.

Question #14:

Will OUSD requesting a LBU Affirmation Worksheet with additional points being awarded?

District Response #14:

Yes. See District Response #10.

Question #15:

Is the District able to provide us with a finalized interview date so that we are able to coordinate schedules in advance of being shortlisted? Also, does the District intend to give teams an agenda and/or questions in advance?

District Response #15:

Final interview dates and times have not been determined other than blocking out the week of August 19 to 23 as noted in the RFQ/P. Format of interview will be 50 minutes long with 25 minutes for a presentation followed by 25 minutes for Q&A. Questions are typically not provided in advance.

Question #16:

Please confirm the anticipated duration of the Pre-Construction phase. This information is crucial for determining the appropriate Preconstruction Services Fee.

District Response #16:

Pre-construction services shall commence with the Board approval of contract which is scheduled for October 2024 and be completed with the DSA submittal which is projected to occur in May 2025.

RECEIPT OF THIS ADDENDUM (AS WELL AS PREVIOUSLY ISSUED ADDENDA) MUST BE ACKNOWLEDGED IN THE PROPOSAL.

LOCAL BUSINESS UTILIZATION AFFIRMATION WORKSHEET

General Contractor: _____

The General Contractor affirms that it will achieve OUSD’s minimum Local Business Utilization (LBU) requirements. Included in our proposal is a detailed narrative and strategy describing how the General Contractor intends to meet or exceed the District’s LBU requirements.

The narrative shall describe previously implemented methods used for successful local business utilization and shall be inclusive of at least one relevant California K-12 example.

The narrative shall include our LBU strategy, but not limited, to the following:

- Identified Joint-Venture partnership agreements at the prime and sub level
- An outline of small and local firms with planned partnership
- Areas and/or scopes that have been identified as carve out opportunities for small, local partners
- Other identified opportunities for local and small local utilization

The submitted narrative and strategy will be scored and awarded up to 5 additional points by the District’s LBU Consultant.

Minimum Local Business Participation per District Policy can be found in the following link:

<https://www.ousd.org/facilities-planning-management/opportunities/lbu-policy>

Signature: _____

Date: ____ / ____ / 2024