

TUSTIN UNIFIED SCHOOL DISTRICT

RFQ No. 371

REQUEST FOR QUALIFICATIONS RELATING TO PERFORMANCE OF ARCHITECTURAL SERVICES FOR PUBLIC SCHOOL FACILITIES PROJECTS

Request Issuance Date: August 16, 2024

Address for Submitting Responses: Tustin Unified School District
Attn: Jairo Herrera - RFQ/RFP Administrator
300 South C Street
Tustin, CA 92780

Deadline For Submitting Questions: September 15, 2024, at 2:00 PM

Deadline for Submitting Responses: September 30, 2024, at 2:00 PM

PART A. INTRODUCTION

The Tustin Unified School District (“District”) is a public school district located in Orange County, California, that serves approximately 24,000 students in Kindergarten through 12th Grade. The District owns and operates 18 elementary schools, 6 middle schools, 3 comprehensive high schools, and 1 continuation high school. The District’s other facilities include its main administrative offices and separate maintenance and operations facilities. The District presently intends to undertake the planning, design, funding, and construction of various school-facilities projects. As presently anticipated, such projects may include new construction, reconstruction, modernization, retrofit and other types of projects, and the projects will range in terms of both scope and cost.

The District desires to develop a pool of architectural services companies (each an “Architect”) that are qualified and experienced in regard to planning, design, funding, and construction of public school facilities in the State of California, and that can assist the District by providing architectural, engineering, construction administration, and related services in connection with the District’s projects. The District has issued this Request for Qualifications Relating to Performance of Architectural Services for Public School Projects (“RFQ”) to facilitate the selection of Architects pursuant to a competitive process that is consistent with the requirements of Government Code Section 4525 *et seq.* The District intends that, after the pool of Architects has been established, the District will, as and when appropriate, seek proposals for architectural services for specific school facilities projects from among the prequalified Architects in the pool.

Please note that this RFQ is solely a solicitation for qualifications. Neither this RFQ, nor the information submitted by any Architect in response to this RFP (each a “Response”), shall be deemed or construed to: (i) create any contractual relationship between the District and any Architect; (ii) create any obligation for the District to enter into a contract with any Architect or other party; or (iii) serve as the basis for a claim for reimbursement of costs associated with submittal of any Response.

Thank you! The District understands that each Architect will expend time and effort to prepare and submit a Response, and we thank you in advance for your participation in this process.

PART B. ANTICIPATED TIMELINE FOR PREQUALIFICATION OF ARCHITECTS

The District anticipates that the process for prequalification of the Architects will occur in accordance with the timeline set forth on the cover page to this RFQ and as set forth below in this Part. However, although timing is of critical importance, the District may alter the dates and times specified below as the District, in its sole discretion, determines necessary and/or appropriate.

Deadline for Submitting Questions	September 15, 2024, at 2:00 PM
Anticipated Date for Answers to Questions	September 20, 2024
Deadline for Submitting Responses.....	September 30, 2024, at 2:00 PM
Shortlist Interviews (if needed)	TBD
Notification of Selection	TBD

PART C. REGISTRATION WITH DISTRICT REQUIRED

As a condition precedent to submitting a Response, an Architect must register with the District as provided in this Part. By registering, the District will be able to inform the Architect in the event the District issues any addendum to this RFQ or responds to any questions regarding this RFQ. To register, an Architect must submit, via email to the District’s RFQ/RFP Administrator (see Part G of this RFQ), all

of the following: (i) a request that the Architect be registered with the District specifically for purposes of “RFQ Number 371”; (ii) the Architect’s full legal name; and (iii) the name, title, mailing address, telephone number, and email address of the Architect’s authorized contact person for purposes of this RFQ.

PART D: ADDITIONAL INFORMATION FOR ARCHITECTS

1. Addenda to RFQ.

The District may issue one or more addenda to this RFQ, and the District will provide notice of each addendum to each Architect that has registered with the District as provided in Part C of this RFQ, using the email address provided by the Architect when it registered. Addenda issued by the District will be available for review on the District’s website. Each Architect is solely responsible for reviewing and must, in its Response, acknowledge each addendum issued by the District. Failure by an Architect to acknowledge any and each addendum issued by the District is grounds for rejection of the Architect’s Response.

2. Modification or Withdrawal of Response.

At any time prior to the Deadline for Submitting Responses, an Architect may: (i) modify its Response by submitting the modified Response together with a written request to withdraw the original Response and replace it with the modified Response; or (ii) withdraw its Response by providing written request for withdrawal to the District.

3. Responsibility for Costs.

Each Architect shall be responsible for paying any and all costs that it incurs in connection with the preparation and submission of its Response, together with any and all expenses associated with travel to and/or participation in any interview or other meeting or presentation. In no event will the District reimburse any Architect for any such costs or expenses.

4. Disclosure of Responses.

The District will consider each Response to be a public record, which the District may disclose in accordance with California law or otherwise. In that regard, Responses shall not be deemed or construed to include any proprietary or other confidential information, and the District shall not be responsible or liable for disclosure of any information included in an Architect’s Response that the Architect believes is proprietary or other confidential information.

5. Ownership of Documents and Use of Ideas.

All Responses and other materials submitted in response to this RFQ shall become the property of the District, and the District shall have no obligation to return any such materials to the Architect that submitted them. The District may use any ideas set forth in a Response, regardless of whether the District selects the Architect that submitted the Response to be in the prequalified pool of Architects.

6. Award of Contract Not Guaranteed.

Please note that this RFQ is merely a solicitation for Responses. Neither this RFQ, nor any Response, shall be deemed or construed to: (i) create any contractual relationship between the District and any Architect; (ii) create any obligation, express or implied, for the District to enter into a contract with any Architect or other party; or (iii) serve as the basis for a claim for reimbursement of costs associated with

submittal of any Response. Contracts for architectural services needed for specific District projects will be issued based on proposals submitted by applicable pool Architects and based on the District's standard form of agreement for architectural services. Among other things, the District's standard form of agreement includes provisions for indemnification by the Architect, with respect to matters arising from the architectural services, consistent with Section 2782.8 of the California Civil Code. No contract for architectural services with the District shall be valid and binding unless and until approved or ratified by the District's Board of Education.

7. District Review of Services.

The District may review, or may at any time contract for the services of an independent consultant that will assist the District with, among other things, review of, architectural services received by the District, and contracts for architectural services shall require that the Architect fully cooperate at all times with such efforts on an "open book" basis.

8. Unethical Behavior.

By submitting a Response, an Architect shall be deemed to represent and warrant that neither it nor any of its agents or other representatives gave or offered to give any gratuity (in the form of entertainment, money, gifts, or anything else of value) to any District board member, officer or employee, with the intent or goal of obtaining favorable treatment with respect to the selection of the Architect to be in the pool of Architects to be established by the District. If the District determines that an Architect has breached or violated such warranty, the District may terminate, in whole or in part, ANY contract that it has with such Architect, and the Architect shall be responsible and liable for any associated losses and/or damages incurred by the District. The rights and remedies of the District pursuant to this paragraph are not exclusive and are in addition to any other rights and remedies the District may have pursuant to law or contract.

9. District Rights. The District expressly reserves the rights to: (i) prequalify to be in the pool of Architects, from among the Architects that submit Responses, only those Architects that the District determines are most highly qualified and competent to provide architectural services to the District; (ii) in its reasonable discretion, reject any Responses that do not comply with the requirements of this RFQ; (iii) reject all Responses, regardless of whether the District issues a new or alternate request for qualifications; and (iv) not prequalify any Architects pursuant to this RFQ.

PART E: REQUIRED CONTENT OF RESPONSE

In order to be considered responsive to this RFQ, an Architect's Response must include all of the information described in this Part E, in the order set forth below.

1. Response Cover (one page).

The cover to a Response may specify only: (i) the number of this RFQ as designated by the District (i.e., RFQ Number 371); (ii) each addendum to this RFQ issued by the District; (iii) the Deadline for Submitting Responses; (iv) the title of the Response, if any; (v) the Architect's company name, contact person, address and telephone number; and (vi) the Architect's logo, if any.

2. Optional Summary Letter (one page).

An Architect may, if desired, include in its Response a letter that briefly summarizes the Response. The letter must be signed by a person with authority to act on behalf of and bind the Architect.

3. Table of Contents (one page).

Include a list of the headings and corresponding page numbers for everything included in the Response that follows after the table of contents.

4. Architect Company and Contact Information (one page).

Specify: (i) the Architect's full, legal company name; (ii) the Architect's type of legal entity (e.g., corporation, limited liability company, *et cetera*) and the state in which the Architect was organized (e.g., California, Delaware, *et cetera*); (iii) the address and telephone number of the Architect's principal business offices; (iii) the names and titles of, as applicable, the Architect's principal owners and officers; and (iv) the address and telephone number of the Architect's business office that, if awarded a contract, will manage and perform architectural services for the District.

5. Key Personnel (one page).

Identify all "key" management and professionals whom the Architect intends to assign to the District's school facilities projects, specifying their respective qualifications and experience in regard to planning, design, funding, and construction administration of public school facilities projects in California. Include an affirmative statement that each of such key personnel currently are fully qualified, experienced, and, as applicable, properly and appropriately licensed to perform the architectural services that will be assigned to them. Include individual resumes or profiles for such key personnel as attachments to the Response.

6. Qualifications and Experience (three pages).

Describe the Architect's qualifications and experience, within the immediately prior ten years, with respect to planning, design, funding, and construction administration for school facilities of California public school districts. Without limiting the foregoing, the summary should include a description of the Architect's: (i) qualifications and experience with respect to both new construction and modernization projects; (ii) experience working with State agencies, including the Office of Public School Construction, State Allocation Board, Department of Education, and Division of the State Architect; and (iii) the Architect's knowledge regarding State-funded school-facilities construction and modernization projects and their experience with the application and funding processes. Include, in an attachment to the Response, a list of projects for which the Architect has provided architectural services to California public school districts within the immediately-preceding ten-year period and that had a final construction cost in excess of \$2 million, specifying for each such project: (i) the name of the school district, (ii) the name of the project, (iii) the name and telephone number of the school district's primary contact person for purposes of the project; (iv) the general scope and complexity of the work performed by the Architect; (v) the final, total dollar amounts of the Architect's contract, specifying the amount for planning, design, and funding-related services separately from the amount for construction administration services; and (vi) a description of (1) any and all disputes and/or delays involving, relating to, or arising from the Architect's work on the project, and (2) how such disputes and/or delays were finally resolved.

7. Services Methodology and Philosophy (one page).

Describe the means, methods, and/or processes the Architect will implement to determine and fulfill the District's requirements and expectations for the District's school facilities projects, including, among others, the Architect's philosophy and approach regarding: (i) determining District needs and preferences, and performing architectural services accordingly; (ii) planning and designing projects in order to keep projects within the applicable budgetary and time constraints; and (iii) otherwise providing, outstanding customer service. Without limiting the foregoing, address the Architect's strength and stability as a business concern, and its advantages over its competitors with respect to the planning, design, funding, and construction administration of public school facilities.

8. Local Outreach (one page).

Describe the efforts the Architect will make to contract with necessary sub-consultants based within the District's boundaries for performance of portions of the architectural services requested by the District, and describe the Architect's success with such efforts for other California public school district projects.

9. Sub-Consultants (one page).

Specify the portions of the architectural services that will need to be performed by sub-consultants to the Architect, because the Architect does not typically perform those services "in house," such as civil engineering, electrical engineering, landscape design, *et cetera*. Include an outline of the process that the Architect proposes to use for selection of sub-consultants that will perform portions of the architectural services provided to the District.

10. Additional Information (two pages).

Provide any additional, specific information that the Architect believes is relevant or that the Architect could not otherwise fit within the number of pages permitted for the information to be provided pursuant to the foregoing portions of this Part E. Please note, however, that general marketing materials (i.e., information not specifically relevant to performances of architectural services for the District) are neither necessary nor desired.

11. Certification Regarding Response (one page).

Include a written certification signed by an authorized representative of the Architect as follows: "The undersigned hereby certifies, subject to penalty for perjury in accordance with the laws of the State of California, that: (i) the Architect identified in this Response has duly authorized the undersigned to submit this Response on the Architect's behalf; and (ii) the information set forth in this Response is all true and correct, and constitutes a complete, unequivocal, and not misleading response to the requirements of the RFQ." The name and title of the person signing the certification must be legibly set forth below the person's signature.

PART F: EVALUATION OF RESPONSES

1. Evaluation Process.

Prior to actually evaluating and ranking the substantive content of a Response, the District may reject the Response if it: (i) is conditional, incomplete, includes irregularities or inconsistencies, or in any manner does not satisfy or conform with the requirements of this RFQ; or (ii) as determined by the District, is in any way or to any extent misleading, regardless of whether intentionally, negligently, or otherwise.

The District, in its sole discretion, may designate one or more people to evaluate and score the Responses on behalf of the District, which may include, but is not limited to, District employees, independent consultants, and/or others with relevant qualifications and/or experience.

The District in its sole discretion may: (i) schedule and conduct interviews with any one or more of the responding Architects (provided that no Architect shall have the right to be interviewed); (ii) contact and confer with representatives of other entities for which an Architect has provided services or that have provided services to any Architect; (iii) request any additional information from any Architect; (iv) contact any Architect's past or current clients to obtain or verify any information pertaining to the Architect; and/or (v) otherwise seek confirmation of information set forth in any Response. Any information gained by the District as a result of such activities may be used to assist with the prequalification of the Architects. In the absence of any such activities or information, the District will evaluate and score any particular Response based on the information included in that Response.

Each person evaluating Responses on behalf of the District will independently score each Response, using the evaluation criteria set forth in Section 2 of this Part F. If a Response does not satisfy the pass/fail criterion, the District will reject and not further score the Response. Each evaluation category (other than pass-fail) will be awarded a score from zero to a specified maximum number of points. The final score in each evaluation category awarded to an Architect will be the average of the scores determined by the individuals who are evaluating Responses on behalf of the District. Upon completing the evaluation of all Responses, the District will rank Responses from highest qualified to lowest qualified. There is no required minimum score; however, the District reserves the right to limit the number of Architects that it includes in the pool of Architects to a reasonable number as the District may determine, and the ranking of Architects is intended solely to assist in limiting the number of prequalified Architects in the pool.

2. Evaluation Criteria.

The District will evaluate and score each Response based on the following criteria/categories:

- (i) **Response Content and Formatting (pass/fail):** To facilitate consistent and efficient review and evaluation by the District, each Response must substantially comply with the content and formatting requirements. Responses that do not so comply may be rejected and not further scored.
- (ii) **Qualifications and Experience (maximum 100 points):** The score awarded for this category may range from zero to 100 points, depending on the District's assessments of the Architects' qualifications and experience specifically relating to architectural services provided to California public school districts in connection with school facilities projects.
- (iii) **Services Methodology and Philosophy (maximum 50 points):** The score awarded for this category may range from zero to 50 points, depending on the District's assessments of the Architects' methodologies and philosophies with respect to performing the services described in this RFQ while providing excellent customer service. The District will award relatively higher scores to Architects demonstrating that their methodologies and philosophies will result in the District receiving excellent customer service.
- (iv) **Local Outreach (maximum 25 points):** The score awarded for this category may range from zero to 25 points, depending on the District's assessments of the Architects' abilities to use local

sub-consultants to perform portions of the architectural services for the the District's school facilities projects.

- (v) **Additional Information (maximum 50 points):** The score awarded for this category may range from zero to 50 points, depending on the District's assessments of whether the additional information provided by an Architect demonstrates particular qualifications and experience with respect to the architectural services desired by the District or otherwise evidences a strong ability to perform the services described in this RFQ. The District will view negatively any general marketing materials or other additional information that does not relate to an Architect's experience, qualifications, and/or ability to perform the services as are specifically for required for the District's school facilities projects.
- (vi) **Overall Assessment (maximum 50 points):** The score awarded for this category may range from zero to 50 points, depending on the District's assessments of the Architect's respective qualifications overall, based on the Responses to this RFQ and, if applicable, interviews with selected Architects and other information that is made or becomes available for review. Such overall assessment may include, among other things, an evaluation of whether the Architect's key personnel have the interpersonal skills necessary to be a good fit with District personnel.

PART G. QUESTIONS REGARDING THIS REQUEST

1. Submission to District.

Questions regarding this RFP should be set forth in writing and sent via email to the District's RFQ/RFP Administrator at jherrera@tustin.k12.ca.us, and the e-mail subject line should be specified as "Question Regarding Architectural Services RFQ."

2. Responses to Questions.

The District will, to the extent it is able, respond to questions regarding this RFQ that it receives in accordance with this Part G, and the District may delegate responsibility for responding to such questions, including, without limitation, to District legal counsel. If the District responds to a question, it will send the question and corresponding response to all of the Architects that registered with the District in accordance with Part C of this RFQ.

3. Deadline for Questions.

Architects that have registered with the District may submit questions regarding this RFQ at any time prior to the Deadline for Submitting Questions. The District, in its sole discretion, may determine not to respond to questions submitted after the Deadline for Submitting Questions or may respond, nonetheless, so that all Architects that have registered with the District will have the benefit of relevant information.

PART H. SUBMITTAL OF RESPONSES

1. Number of Copies.

In order to be deemed responsive to this RFQ, an Architect must submit to the District: (i) three complete paper copies of its Response, each in a separate three-ring binder; and (ii) one electronic copy of its Response, in PDF format, on a USB flash drive.

2. Formatting.

Each Response must conform with the following formatting requirements: (i) the content of the Response must be printed on/sized for 8 ½ by 11 inch paper, and the pages may be either single-sided or double-sided; (ii) with respect to each required content item specified in Part E of this RFQ, the number of pages included in the Response must be no more than the number specified in the heading for such item, regardless of whether the pages are single-sided or double-sided; (iii) attachments are not included in, or subject to, any page number limitations, regardless of whether the pages are single-sided or double-sided, but in no event may information other than as specified in Part E be included in any attachment; (iv) tab pages, dividers, and similar inserts are not included in, or subject to, any page number limitations; (v) each side of a piece of paper that has printing or other marks shall be considered to be a page for purposes of the page limitations herein; and (vi) all text set forth in the Response (including, without limitation, in any attachments) must be font size 11 or greater.

3. Responses Must be Sealed.

Each Response must be sealed in an envelope, and the only text and/or marks authorized to be visible on the outside of the envelope are: (i) the address for submission of Responses, as specified herein; (ii) the number designated by the District for this RFQ (i.e., RFQ Number 371); (iii) the Architect's company name and return address; and (iv) postage and/or postage marks. All other text and/or marks on the outside of the envelope are prohibited.

4. Delivery Address and Deadline.

Each Response must: (i) be addressed and delivered to the address specified below in this Section 4; and (ii) be received at such address prior to the Deadline for Submitting Responses. The address for submission of Responses is as follows:

Tustin Unified School District
Attn: RFQ/RFP Administrator
300 South C Street
Tustin, CA 92780

5. Method of Delivery.

Responses may be sent or delivered to the District via: (i) certified, registered, or first-class U.S. Mail; (ii) FedEx, UPS, or other private delivery service; (iii) personal delivery; or (iv) such other means as the Architect determines appropriate. However, notwithstanding the foregoing, in no event will the District accept any Response sent via facsimile transmission, email, or other electronic means.

6. Architect Responsibility.

Each Architect shall be solely responsible for ensuring that its Response is received by the District prior to the Deadline for Submitting Responses. The District, in its sole and absolute discretion may, but shall not be required to, consider any Response received by the District after the Deadline for Submitting Responses.