

KENTUCKY DEPARTMENT OF EDUCATION  
**REQUEST FOR PROPOSALS**

for

**CONSTRUCTION MANAGEMENT SERVICES**  
**Modified for Construction Manager as Constructor**

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School District:           **ASHLAND INDEPENDENT SCHOOLS**            
Project:                   **POAGE ELEMENTARY SCHOOL**                    
RFP Date:                   **14 OCTOBER 2024**                  

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# 1. ANNOUNCEMENT

- A. The ASHLAND INDEPENDENT SCHOOLS Board of Education will receive Proposals from qualified Construction Managers (CMs) for *both Preconstruction Phase services and Construction Phase services*.
- B. The intended Project is:  
POAGE ELEMENTARY SCHOOL – FOUR CLASSROOM ADDITION
- C. Interested and qualified CMs can receive a copy of the official Request for Proposal (RFP) by submitting a one-page letter of interest to:  
  
[richard.oppenheimer@ashland.kyschools.us](mailto:richard.oppenheimer@ashland.kyschools.us)
- D. An authorized representative of the Board of Education will receive CM proposals until 11AM on TUESDAY 5 NOVEMBER 2024. **Proposals received after this date will not be accepted.**
- E. Proposals shall be submitted only on the form as received from the soliciting Board of Education.
- F. Proposals shall be enclosed in envelopes which clearly indicate a Proposal for Construction Management services.
- G. Responding CMs will be required to meet 702 KAR 4:160 and certain qualifications set out in the RFP and which include the following:
  - 1. **CM Experience**
  - 2. **Payment and Performance Bonds**
  - 3. **Professional Liability Insurance**
  - 4. **Ability to Provide Experienced Office and Field Staff**
- H. Questions concerning Request for Proposals or the project should be addressed to: BRAD BEATTY via email at: [bbeatty@clotfelter-samokar.com](mailto:bbeatty@clotfelter-samokar.com)
- I. This Request for Proposals is subject to KRS 45A.455 prohibition against conflict of interest, and gratuities and kickbacks.

## 2. INSTRUCTIONS TO PROPOSERS:

### A. Preparation of Proposals:

1. The respondent is expected to comply with all specifications, terms, conditions, and instructions contained in this Request for Proposals (RFP). Failure to do so will be cause for rejection.
2. The proposal should be prepared simply and economically, providing a straight forward concise description of the respondent's capabilities to satisfy the requirements of this RFP. Emphasis should be on completeness and clarity of content. Each copy of the proposal, and all documentation submitted with the RFP, should be bound in a single volume where practical. The Owner will not be responsible for any costs incurred by respondent in preparing or presenting the RFP.
3. Any exceptions taken to the terms and conditions of this RFP shall be clearly identified. If no exceptions are listed it will be concluded that the respondent will meet, in every detail, the conditions stipulated in this RFP.

### B. Fee:

Fee and schedule for this project shall be negotiated at the completion of the selection process ~~utilizing KDE CM Fee Guidelines for CM services.~~ The Ashland Board of Education understands that the CM Fee Guideline does not well represent the fee structure required for Construction Manager as Constructor services and will negotiate in good faith an appropriate fee structure.

### C. Submission of Proposal:

The responding CM shall complete a proposal which includes responses to this document.

Proposals shall be addressed to:

ASHLAND INDEPENDENT SCHOOL BOARD OF EDUCATION  
ATTN: RICHARD OPPENHEIMER  
1820 HICKMAN STREET  
ASHLAND, KENTUCKY 41101

### D. Number of Copies:

The respondent shall furnish eight (8) hard copies of the proposal.

### E. Form of Agreement:

The form of agreement to be used shall be the current American Institute of Architects (AIA) document(s) required by 702 KAR 4:160.

F. Conditions:

1. ~~The selected CM shall furnish all utilities required for the CM's on-site office and/or operations for the duration of the contract. The temporary project utilities shall not be used by the Construction Manager for CM operations.~~
2. The selected CM shall furnish a Payment and Performance Bond, in an amount equal to 100% of the proposal price as surety for the faithful performance of this contract. Bonds shall be kept in force for the duration of the contract; and, executed by a resident agent of the Commonwealth of Kentucky; and, be in compliance with Kentucky Revised Statutes.
3. Existence of insurance required hereunder shall be established by the furnishing of a Certificate of Insurance issued by insurers duly licensed within the Commonwealth of Kentucky. Insurance shall be in force on the date of execution of the Contract and continued for a period equal to the duration of the project.
4. Insurance shall include coverage as stated in the ~~AIA Document C132-2009, Standard Form of Agreement Between Owner and Construction Manager as Adviser — KDE Version required by 702 KAR 4:160. AIA A134 Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee without a Guaranteed Maximum Price.~~
5. CM shall hold harmless and indemnify the Owner, the Architect, and other design consultants against all claims, suits, actions, costs, council fees, expenses, damages and/or judgement in decrees by reason of persons or property being damaged or injured by the CM or any of the CM employees/subcontractors in any capacity during the progress of the work, whether by negligence or otherwise.
6. All contracts for construction will be between ~~the Owner and the successful bidding Contractors.~~ the CM and the successful bidding Contractors.
7. CM shall maintain Professional Liability Insurance with minimum coverage as stated in the ~~AIA Document C132-2009, Standard Form of Agreement Between Owner and Construction Manager as Adviser — KDE Version required by 702 KAR 4:160. AIA 134 Standard Form of Agreement Between Owner and Construction Manager as Constructor.~~

G. Late Proposal, Modification, or Withdrawal:

1. Proposals received after the designated date will not be accepted.
2. Proposals may be modified or withdrawn by written notice received prior to deadline for receipt of the RFP. A proposal also may be withdrawn in person by a respondent or his authorized representative, provided his identity is made known and he signs a receipt for the proposal, but only if the withdrawal is made prior to the deadline set for receipt of the RFP.

H. Compliance with State Laws:

Any contracts resulting from this solicitation shall be governed under the laws of the Commonwealth of Kentucky.

### 3. PROJECT DESCRIPTION

A four (4) classroom, 5,000 + square foot new construction addition to an existing building (Poage Elementary School) located at 3215 South 29<sup>th</sup> Street, Ashland Kentucky. The single-story addition will be conventional load bearing masonry and shall not impede the continued use of the existing facility. Additional work to this facility may be added and include but not be limited to a full or partial window replacement project.

### 4. TENTATIVE PROJECT SCHEDULE

The project is currently in schematic design with bid drawings ready by late summer. Work would occur during the 2025-2026 school year with final completion expected on/or before June 2027 allowing for approximately 22 months of construction working in and around school schedules as required.

### 5. GOALS FOR CONSTRUCTION MANAGER

- A. To participate as a responsible, cooperative and contributing member of the design and construction team. **Including pre-design services including but not limited to project cost estimating at design development and construction documentation phases.**
- B. To manage and complete the Project within the defined time schedule, approved budget and the quality guidelines.
- C. To represent the best interests of the Owner in the performance of services toward the expeditious and efficient completion of the project.

### 6. CM DEFINITION

A Construction Manager means a qualified and experienced contracting organization which provides the services of construction management and possesses a general trades workforce, staff and equipment, financial base, insurance coverage, bonding capability, a minimum of three (3) years construction management experience on projects of \$2,000,000 or more, and the ability to provide the services required.

## 7. CM QUALIFICATIONS

- A. Knowledgeable of current applicable statutes, regulations and codes related to educational building projects in Kentucky.
- B. Knowledgeable of current Kentucky Department of Education (KDE) construction management contract requirements.
- C. Ability to provide Performance and Payment Bonds for 100% of the construction management contract amount from a bonding company licensed to conduct business in the Commonwealth of Kentucky.
- D. Ability to list successful completion of construction management services within the last three (3) years for work of a comparable nature; and, a total accumulative dollar value of these projects which is not less than the projected construction cost of this project.
- E. Ability to provide experienced office and field staff. Both the Project Manager and the Superintendent shall exhibit a minimum of four (4) years experience on similar size projects.
- F. Ability, through demonstration of past projects or written plan, to generate multiple bids for each required bid package.
- G. Ability to provide expertise in the services of conceptual estimating and budget control, constructability reviews, contractibility reviews and value engineering including life cycle cost analysis.
- H. Ability to prepare and maintain critical path method (CPM) or bar chart schedules and update project schedules as needed.
- I. Ability to prepare and submit for approval, to KDE all required documents in proper form and in a timely manner. **Including but not limited to BG1 revisions, FACPAC change order tracking, etc.**
- J. Willingness to sign a non-collusion disclosure affidavit as presented by KDE.

## 8. PRE CONSTRUCTION PHASE SERVICES REQUIRED

The CM shall provide preconstruction phase services as stated in the AIA Document C133-2019, Standard Form of Agreement Between Owner and Construction Manager as Adviser – KDE Version, including, but not limited to, the following: **While referenced here for the following requirements, Standard Form 134 will be utilized, and these requirements will be implied in addition to in any all outlined requires therein.**

- A. Identify project scope and construction budget from BG-1. Assist in preparation of BG-1 and BG-3.

- B. Participate and assist in program/planning meetings.
- C. Prepare and maintain CPM or bar chart schedules which include each phase of pre construction and construction; and, which show milestone dates for each phase of the project. Coordinate schedule generation with Owner and Architect.
- D. Provide dependable conceptual estimates from Schematic Design drawings and detailed estimates from Design Development drawings and from 50% completed Construction Documents.
- E. Provide constructability and contractibility reviews at each phase of design.
- F. Conduct a value engineering review, including Life Cycle Cost evaluations, for alternate materials and systems prior to the beginning of the Construction Documents phase.
- G. Coordinate materials ordering and delivery, including long lead materials.
- H. Provide assistance and recommendations to the Owner for obtaining any necessary specialty professional services or studies, if required.
- I. Assist the A/E in obtaining approvals of design from the Kentucky Department of Education.
- J. Assist the Owner in obtaining required permits.
- K. Prepare and submit cash flow analysis to Owner prior to bond sale, if applicable.
- L. Review design documents for clarity and completeness and make appropriate recommendations.
- M. Write the general conditions, supplementary/special conditions, the bid documents, and division 1 of the specifications for inclusion in joint or separate project manuals **in coordination with the A/E Design Team.**
- N. Provide the proper construction management language for contract documents and bid packages in accordance with KDE procedures.
- O. Separate construction work into appropriate bid packages, done in such a manner that all work categories can be bid using a single compiled set of Construction Documents.
- P. Prepare bid documents and forms and distribute to potential bidders.
- Q. Review qualifications of potential bidders, generate interest, advertise, and solicit competitive bids for the Owner.
- R. Conduct pre-bid conference and assist in pre-construction meetings.
- S. Conduct public bid openings. Assist in reviewing and evaluating bids and in making recommendations to the Owner.

- T. Provide KDE with the bid tabulations, proposal forms, bid securities, proposed contracts, not less than ten (10) working days prior to scheduled bond sale.
- U. Collect executed contracts, purchase orders, affidavits of assurance, insurance certificates, and performance and payment bonds and distribute copies to Owner, A/E, contractors, and KDE.

Kentucky Department of Education Construction Manager Scope of Services Checklist	Provided by Construction Manager	Provided by Other Contractor	Provided by Owner	Provided by Architect/Engineer
<b>PRE CONSTRUCTION SERVICES</b>				
Educational Specifications			●	
Financial Plan			●	
Program/Planning Meetings	▲		▲	●
Design Documents	▲			●
Construction Documents	▲			●
General/Special Conditions	●			▲
Division 1 Specifications	●			▲
Scheduling	●			▲
Estimating	●			▲
Value Engineering	●			▲
Constructability Reviews	●			▲
Contractibility Reviews	●			▲
Pre-bid Conference	●			▲
Pre Construction Meeting	●			▲
KDE Documentation (FACPAC, BG1, etc)	●			▲

- Primary Responsibility
- ▲ Assists in Task

**Diagram 8.1**



## 9. CONSTRUCTION PHASE SERVICES REQUIRED

The CM shall provide construction phase services as stated in the AIA Document C132-2009, Standard Form of Agreement Between Owner and Construction Manager as Adviser – KDE Version, including, but not limited to, the following: **While referenced here for the following requirements, Standard Form 134 will be utilized, and these requirements will be implied in addition to in any all outlined requires therein.**

- A. Mobilization of job site - Provide and maintain a fully equipped project office facility on-site to perform all required CM duties and meetings and coordination of on-site temporary facilities.
- B. Maintain full time on-site construction supervision to provide daily inspections, quality control, monitoring, coordination of the various trades, provide record drawings, and provide a daily work log. Also, assign any Owner purchased materials.
- C. Conduct monthly job progress meetings following a CM generated agenda with the Architect and all trades, and follow-up with distribution of minutes to all parties.
- D. Conduct a minimum of bimonthly on-site meeting to review safety and to insure schedule conformance as related to delivery schedules. Provide plan of maintaining original completion date with CPM scheduling updates to all parties.
- E. Provide general safety signage and posting for project and see that each Contractor prepares and submits an adequate safety program and monitoring throughout the project.
- F. Provide Owner with a monthly review of cash flow to allow investment of funds available.
- G. Review change order proposals to verify validity, purpose and cost. Review with the Architect and Owner and process change order requests as required.
- H. Review shop drawings for conformance to construction documents and, if presentable, forward to Architect for approval.
- I. Monitor certificate of insurance for expiration from all contractors and confirm Owner's builder's risk policy.
- J. Compile payment requests, verify correctness and forward to Architect for approval. CM to sign cover sheet stating that application has been reviewed and is recommended for payment.
- K. Provide Architect and Owner with a monthly analysis of all bid packages indicating amount of contract completed and remaining, monies paid, retained, and owed.
- L. Assist Architect in preparation of BG-4, conducting final inspections, approvals and Certificates of Occupancy.

- M. Assemble close-out documents required and forward to Architect for approval (i.e., as-built documents, maintenance manuals, surety releases, keys, warranties, guarantees, record drawings, and lien waivers.)
- N. Coordinate any training specified for Owner's personnel in learning to operate equipment and systems. Document equipment and systems training on behalf of the owner digitally (video recording).
- O. Provide assistance to Owner throughout warranty periods.
- P. Perform services and duties in compliance with contract between Owner and CM.

Kentucky Department of Education Construction Manager Scope of Services Checklist  <b>GENERAL REQUIREMENTS</b>	<b>Provided by Construction Manager</b>	<b>Provided by Other Contractor</b>	<b>Provided by Owner</b>	<b>Provided by Architect/Engineer</b>
CM Field Office and Utilities	●			
Temporary Toilets		●		
Temporary Heat		●		
Temporary Electric Power		●		
Temporary Water		●		
Temporary Barricades & Rails		●		
Temporary Fencing		●		
Periodical Cleanup		●		
Rubbish Removal		●		
Water Removal		●		
Building Trade Permits		●		
Testing		●		
Weather Protection		●		
Coordination with Utility Companies		●		
Jobsite Signs	●			
Watchman - Security		●		
Building Permit	▲		●	
Certificate of Occupancy	●	▲		
Builder's Risk Insurance	▲		●	
Progress Photographs	●			
ADDITIONAL:				
● Primary Responsibility ▲ Assists in Task				

**Diagram 9.1**

Kentucky Department of Education Construction Manager Scope of Services Checklist  <b>CONSTRUCTION SERVICES ON SITE</b>	<b>Provided by Construction Manager</b>	<b>Provided by Other Contractor</b>	<b>Provided by Owner</b>	<b>Provided by Architect/Engineer</b>
CM Superintendent Services	●			
Trade Superintendent Services		●		
Trades Coordination	●			
Scheduling	●			▲
Field Engineering	▲	●		
Time Keeping	●			
Shop Drwg. Reference File	●	▲		▲
Record Drawings	●	▲		▲
Safety Program	▲	●		
Independent Surveyor			●	
ADDITIONAL:				
● Primary Responsibility ▲ Assists in Task				

**Diagram 9.2**

Kentucky Department of Education Construction Manager Scope of Services Checklist  <b>CONSTRUCTION SERVICES OFF SITE</b>	<b>Provided by Construction Manager</b>	<b>Provided by Other Contractor</b>	<b>Provided by Owner</b>	<b>Provided by Architect/Engineer</b>
Principal in Charge	●			
Project Management	●			
Labor Relations Coordination	●			
Scheduling	●			▲
Direct Purchase Orders	●			▲
Accounting	●			
Expediting	●			▲
Change Order Review	▲	●	▲	▲
Shop Drwg. Submittal	▲	●		
Shop Drwg. Review	▲	●		●
ADDITIONAL:				
● Primary Responsibility ▲ Assists in Task				

**Diagram 9.3**

## 10. RESPONSE TO REQUEST FOR PROPOSALS

### INSTRUCTIONS

All items below should be included in the response in the same order and in similar format. Include the Certification and signature at the end of this section.

**Note:** *If more than one firm is involved in a joint-venture, a complete response from each firm is required.*

A. Firm Identification: Please provide the following information about your firm:

- *Name*
- *Address*
- *City/State/Zip*
- *Telephone Number*
- *Principal-In-Charge Name*
- *Principal-In-Charge Email Address*
- *Designated Contact Name*
- *Designated Contact Email Address*
- *Type of Organization (Sole Proprietorship, Professional Corporation/Association, Corporation, Partnership, Joint Venture\*, Other\* - If Joint Venture or Other provide details)*
- *Number of years firm has been in business*
- *Location of any branch offices*

B. Personnel:

1. Provide firm organization chart. Include names of all officers.
2. List firm's total number of personnel by skill group (i.e., cost control, scheduling, superintendents, etc.)

C. Sub-Consultants:

If outside consultants are utilized to perform any of your CM services, list firms and the services they will provide on your behalf. See Firm Identification in Section (A) above.

### OVERVIEW

State when the firm was founded, how it is organized, and its operating philosophy.

### CONSTRUCTION MANAGEMENT EXPERIENCE

Provide the following information on completed projects of a comparable nature over the past three (3) years. (Maximum of ten projects).

- *Name of Project*
- *Location by city and state*

- *Brief description of the project*
- *Construction cost and year project was completed*
- *Project Manager and Superintendent Name*
- *Name of owner's representative with address and telephone number*
- *Names and addresses of architects, consultants, and general trades contractor for project*

## **ABILITY TO COMPLETE PROJECTS WITHIN BUDGET AND ON TIME**

Choose not more than five projects listed above, that are most similar to this project and provide the following additional information:

- *Owner's Initial Construction Budget*
- *CM's Final Construction Estimate*
- *Total Number of Bid Packages*
- *Total Project Cost (Contracts and Purchase Orders)*
- *CM scheduled months for construction activities*
- *Actual months for construction activities*
- *Other demonstrated ability to procure quality contractors, maximum productivity and workmanship within budget and schedule guidelines*

## **PROJECT ORGANIZATION**

Please provide the following information regarding your proposed project organization for this project:

- A. Organization chart, identifying all project staff members by project titles, and showing how each interacts with other staff members assigned to this project. Specifically include principal-in-charge, and project manager.
- B. Explain how you plan to provide back-up staffing to insure continuity if key staff members leave the project.

## **PROJECT SERVICES**

- A. Describe your in-house capabilities in the following areas:
  - *Cost Estimating*
  - *Value Engineering*
  - *Life Cycle Cost Analysis*
  - *Energy Conservation and Energy Budgeting*
  - *Building Systems*
  - *Specification Writing / Coordination Experience*
- B. Discuss your plans for fulfilling the requirements for construction management services during the pre-construction phases of this project.
- C. Discuss your plans for fulfilling the requirements for construction management services during the bid and construction phases of this project.

- D. Describe your proposed method of scheduling and phasing for this project.
- E. Describe the estimating and cost control methods you propose to utilize on this project.
- F. In this type of project, what would your recommendation be for field supervision during construction (i.e., number of persons, qualifications and percent of time on the job, etc.)?
- G. Discuss your methods of value engineering and life cycle costing for architectural and mechanical/electrical work on this project.
- H. Discuss the criteria utilized in preparing bid packages for a project like this one. How will the packages fit the construction phasing?
- I. Describe how you intend to work as the Owner's representative with the project architects and other design team members.
- J. Describe your team's method of coordinating the efforts of the various trade contractors. How will you maximize the use of local area contractors/suppliers?
- K. Cite three examples of how, as CM, you have initiated corrective action when deviations from standards of quality, time or budget occurred.

#### **EXPERIENCE WITH THE KENTUCKY DEPARTMENT OF EDUCATION**

Describe your experience working with the Kentucky Department of Education staff and how you view their role in the design and construction process.

#### **SCHOOL FUNDING**

Generally describe your understanding of the funding sources that drive decisions made on Kentucky school construction projects.

#### **REFERENCES**

List not more than ten (10) client references of similar projects. Provide Owner name, contact name, address and telephone number.

#### **SUMMARY STATEMENT**

Provide a summary statement, of not more than one page, which summarizes the reasons you feel your firm is best qualified for this project.



**DOCUMENTS UTILIZED WITH CONTRACT**

The following documents will be utilized to execute a contract.

- A. AIA Document ~~C132-2009, Standard Form of Agreement Between Owner and Construction Manager as Adviser — KDE Version~~ AIA 134 Standard Form of Agreement Between Owner and Construction Manager as Constructor.
- B. ~~KDE Construction Manager Fee Guidelines~~ The Ashland Board of Education understands that the CM Fee Guideline does not well represent the fee structure required for Construction Manager as Constructor services and will negotiate in good faith an appropriate fee structure.
- C. KDE Non-Collusion Affidavit

**CERTIFICATION OF INFORMATION PROVIDED**

The information provided herein is accurate to the best of my knowledge and can be accepted by the recipient as a true representation of:

Firm Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Principal-in-Charge: \_\_\_\_\_

Date: \_\_\_\_\_