

Request For Qualifications and Proposals
Design Build Services
RFQ/RFP2020-001

Section 1
General

1. El Paso Leadership Academy (“EPLA”) is soliciting requests for qualifications (“RFQ”) and requests for proposals (“RFP”) for **Design Build Services** in El Paso, Texas.
2. This will be a two-step process. In Step 1, EPLA will solicit and accept responses to the RFQ. EPLA will qualify a maximum of five responders that submit proper qualification submissions to submit proposals. EPLA may, at its option, request an interview with Finalists. **PLEASE RESERVE TIME ON THURSDAY, MAY 7, 2020 BETWEEN 1:00 – 4:00 PM.** In step 2, EPLA will request sealed proposals from those responders qualified and selected by EPLA. Only those respondents selected and contacted by EPLA should submit proposals.
3. The complete RFQ/RFP will be made available by email request only due to the Covid19 Pandemic. Contact Emily Levario at elevario@epleadershipacademy.org.
4. Pursuant to Texas Government Code section 2269.053, the Board of Directors of EPLA has delegated to the CEO authority to issues this request for submittal and to receive and rank submittals received in response to same.
5. All proposals will be publicly opened on Wednesday, May 6, 2020 at 12:30 pm by videoconference. See attachment “A” for public meeting details.
6. Completion of Project is dependent on securing financing. EPLA is exploring all available financing vehicles.

Section 2
Project Description

If we have learned anything from the Covid19 crisis it’s that the conventional methods of educational instruction are outdated. The way school facilities are constructed are predicated on an early twentieth century model that is just as outdated as the current instructional practices. EPLA has prided itself on being a laboratory of innovation since its inception. Now in our 6th year and being ranked a top school in the state of Texas EPLA finally wants its building design to catch up to its highly innovative academic approach. When we envision a school we don’t want it to look like a traditional school. This should be a learning lab of cooperation and innovation that is consistent with the necessary twenty-first century skillsets that our scholars must have in order to be successful in academics and in life. Your task is to help create that laboratory of innovation.

See attachment “B” for pictures of a building not associated with EPLA that we envision for our

new school. These pictures are not being published to stifle creativity but rather to help provide a visual for the type of facility we could envision for our school. Other design aesthetics will be considered.

1. EPLA intends to design and build or renovate an innovative building in one of the following El Paso geographic areas: 79936, 79938 or 79928 to become a public charter school campus housing up to 1,100 students in grades six through twelve (“Project”).
2. **Site location must be provided by the Design/Build Team.** Site must be a minimum of 7 acres.
3. New construction or renovation of existing structure will be considered
4. The scope of work for this project provides for design and construction of a new or existing one or multi-story building between 80,000 to 100,000 square feet.
5. Due to budgetary and timing constraints, this project may be split into phases. Phase 1 would occur approximately between the months of October 2020-July 2021. Phase 1 must include housing for up to 450 students and phase 1 work must be complete on or before July 30, 2021. Failure to complete the work by this date and to obtain a certificate of occupancy will result in substantial penalties to the Design Build Firm.

Section 3

Step 1—Request for Qualifications

1. Contact Person: Emily Levario
2. Submittals must be received NO LATER THAN 12:00 pm on May 6, 2020. Due to uncertainty related to the Covid19 Pandemic submittals will be accepted in an email submission only. Submittals should be emailed to:

procurement@epleadershipacademy.org.

The subject line should read “Submittal - RFQ 2020-001 DESIGN BUILD SERVICES.”

3. Qualifications may be modified or withdrawn prior to the opening of the qualifications.
4. No price or cost related information is to be included in a Qualifications Submission.
5. Questions for Qualifications (answers to the following must be accurate and complete to be considered):
 - a. Describe the experience of your firm, and of any team members, in designing school facilities in Texas.
 - b. Describe the experience of your firm, and of any team members, in constructing school facilities in Texas.
 - c. Describe the experience of your firm, and of any team members, in designing and/or constructing facilities for the State of Texas or local municipalities in Texas.
 - d. Describe the technical competence (i.e. knowledge, skill, ability) of your firm, and of any team members, to complete this project.
 - e. Describe the capability (financial, logistical, and operational) of your firm, and of any team members, to complete this project.

- f. Describe the past performance of your firm, and of any team members, of similar projects. Include a description of the project, delivery method, final cost, and start and completion dates. For each project, provide the name, address, and telephone number of a person who may be contacted for further information. It is highly desirable that some of this reference be other school districts or public sector accounts comparable in size.
 - g. Identify all claims, lawsuits (live or potential) or demands against your firm and/or any of their respective officers received within the last 5 years.
 - h. Identify any bankruptcy action or filings of your firm or any of its subsidiaries, entities, or officers within the last 5 years.
 - i. Identify all administrative actions, investigations, pursued or issued by any federal, state or local governmental agency within the last 5 years involving your firm, its subsidiaries, and/or any of their respective principals/officers.
 - j. Identify the architects and engineers who will be working on the project. Include their qualifications and a copy of their license to practice in the State of Texas. Each firm must certify that each architect or engineer that is a member of the vendor firm was selected based on demonstrated competence and qualifications, in the manner provided by Section 2254.004, Texas Government Code.
 - k. Qualification submissions must also include completed original copies of the following (which are included in this packet):
 - a. Copy of liability and workers compensation insurance coverage;
 - b. Non-Collusive Bidding Certificate;
 - c. Conflict of interest questionnaire (CIQ). A fully executed copy of the required form can be downloaded at: <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>
 - d. Felony Conviction Notification; and
 - e. AIA Form 305 (not included).
6. Provide a full resume of:
- a. Respondent's highest ranking officer;
 - b. Proposed Project Manager; and
 - c. Proposed Project Superintendent.
7. Provide a brief summary of any appropriate factors about the qualifications of you or your team members, that you believe are relevant to the consideration of your qualifications for this Project, that have not been disclosed in answer to the questions and requests listed above.
8. Qualification Submission will be evaluated and ranked by EPLA and/or its designees, using the following evaluation criteria and weighting:
- Experience of Offeror—20%
 - Technical Competence of Offeror—25%
 - Capability of Responder—35%
 - Past Performance (References)—20%

Based on the evaluation criteria and weightings, EPLA will qualify a maximum of five responders to submit proposals that contain additional information. **EPLA will notify the Respondents by Friday, May 8, 2020 if they have been selected as finalists to submit a Proposal for the project.** These “finalists” will be invited to submit responses to the Request for Proposals in Step two of this process.

**ONLY THOSE FIRMS SELECTED AS A “FINALIST” BY EPLA
SHOULD PROCEED TO STEP 2.**

Step 2—Request for Proposals and Design Criteria Package

Finalists selected and notified by EPLA must submit a Proposal for the project, which will be reviewed and evaluated by a selection committee. Any Proposal submitted by any entity or person not selected as a Finalist by EPLA will be deemed void and disqualified for consideration. EPLA may, at its option, request an interview with Finalists. **PLEASE RESERVE TIME ON THURSDAY, MAY 7, 2020 BETWEEN 1:00 – 4:00 PM**

1. Submittals must be received **NO LATER THAN** Thursday May 22, 2020 at 12pm. Due to uncertainty related to the Covid19 Pandemic submittals will be accepted in email form only. Submittals should be emailed to:

procurement@epleadershipacademy.org.

The subject line should read “**Submittal RFP 2020-001 DESIGN BUILD SERVICES.**”

2. EPLA RFQ/RFP is available via email request to elevario@epleadershipacademy.org.
3. Proposals may be modified or withdrawn prior to the opening of the proposals.
4. Proposals must include information considered below. Each proposal must comply with the criteria, applicable deadlines, requirements and elements of the RFP and Design Criteria Package contained herein.
5. Proposals submitted must include the following information:
 - List construction projects (preferably similar to this project) that have been completed by your firm within the last 5 years. Include a description of the project, delivery method, final cost, and start and completion dates
 - A statement introducing or summarizing any information the vendor deems relevant or important to EPLA successful acquisition of the services and products described in the RFP.
 - Description of site location and estimated value of land
 - Provide conceptual rendering and/or narrative of facility. Include information on how the facility will be designed and built in an innovative and economic way.
 - Considering the scope and schedule of the project, identify the *specific* project Managers, Estimators, and site superintendents proposed to work on the project. Indicate the extent of their involvement in the project (full-time or part-time) over the entire duration of the construction and design phases. Provide resumes and references for each individual, as well as projects of similar size and scope that the proposed team has completed.
 - Provide detailed timeline for completion of construction
 - Guaranteed Maximum Price for which the vendor will agree to design and build the project in full compliance with all requirements contained herein. Failure to provide the Guaranteed Maximum Price may be grounds for rejection of the proposal.
6. Proposals submitted will be evaluated and ranked by selection committee using the following evaluation criteria and weighting:
 1. The reputation of the firm and its team (10 points);
 2. The quality of the firm’s (and team’s) work (10 points);
 3. The extent to which the firm’s and team’s services meet EPLA needs including

evidence of firm's ability to design and build a facility in an innovative and economical way(20 points);

4. The quality of the land site proposed (10 points)
5. The firm's (and team's) previous relationship with the District (10 points) and
6. The total long-term cost to EPLA to acquire the firm's (and team's) services and the degree to which the respondent's Guaranteed Maximum Price is less than the amount of the project budget. (40 points).

7. DESIGN CRITERIA PACKAGE – More detailed information will be provided to finalists

Project Description:

Site location: Each proposal submitted by a Finalist selected by EPLA; must include a proposal site that fulfills the following minimum requirements:

- Located in East El Paso, TX with preference given to zip codes 79936, 79938 and 79928
- Be of adequate size, but not less than 7 acres
- Have access to adequate electric, utilities, sewer, water, and fire suppression as required by the Design Criteria Package for the facility.
- Provide the legal description for the site.
- Provide evidence of:
 - Proper zoning and Special Use Permit (If required for the site),
 - A contract for the purchase of the site or other reasonable and enforceable control of the site,
 - The availability of acceptable title insurance,
 - The availability and acceptability of public utilities (or to be available as needed),
 - Completed environmental audit and site assessment.

Building Project: The scope of work for this project provides for design and construction or renovation of a one or multi-story building totaling between 80,000 to 100,000 square feet.

The Project is to be a “turnkey” project. The design/builder will provide all services, materials and labor for the building to be fully operational as a school building upon completion.

The design/builder must provide to EPLA copies of all designs, surveys, studies, equipment lists, systems, etc., plus all costs necessary for completion of the project throughout the duration of the project.

A primary goal of the design process should focus on building an innovative facility using an innovative construction process and innovative materials with a focus on affordability.

General facility parameters:

- Single or multi-floor building designed with capability to build out from the inside or add on from the outside. During Phase one the building must be built to serve between 400-450 students with the ability to add on up to 1,100 students in subsequent years.
- There must be a minimum of 100 parking spaces during Phase 1 with ability to expand to 300 parking spaces in subsequent years.
- Queuing lanes for drop off must be adequate to handle flow of traffic during phase 1 and subsequent year's growth.
- Adequate outdoor spaces to include open spaces and play fields
- The Project must be designed and built in strict compliance with all applicable laws, rules, regulations and court orders.

Anticipated Overall Schedule:

All work in Phase 1 must be completed on or before July 30, 2021, leaving approximately 10 months for the work to be completed (when assuming an October 1, 2020 finance close). Failure to complete the work on time and to obtain a certificate of occupancy will result in substantial penalties to the firm selected.

Other information for the Vendor:

All aspects of the site preparation and construction must comply with:

- The project must meet all current codes for its intended use;
- Americans with Disabilities Act (ADA); and
- All applicable State and Federal standards which would affect the ability of the facility to house public school students.

8. Selection Process:

1. Following an evaluation of the proposals, the selection committee will select the offer that provides the best value to EPLA considering price or cost and the evaluation factors in the RFP, and will attempt to negotiate a contract with the selected offeror.
2. If no contract can be reached, EPLA may contact the offeror with the next highest point total and attempt to negotiate a contract with that offeror.
3. All selection decisions are final and EPLA reserves the right to reject any or all submittals.
4. If a contract is awarded, the rankings based on the submittals will be made public within seven (7) days under Section 2269.308.

Section 4

Terms and Conditions

1. The terms of the agreement between EPLA and the selected offeror will be mutually agreed

upon.

2. EPLA reserves the right to accept or reject all or any part of any submittal or bid, waive minor technicalities, and award the submittal offering the best value for EPLA
3. EPLA reserves the right to cancel this contract without pecuniary risk or penalty upon written notice.
4. If at any time the vendor fails to fulfill or abide by the terms, conditions, or specifications of this contract, EPLA reserves the right to cancel upon thirty days' written notification.
5. CONFIDENTIAL INFORMATION: Vendors to the RFQ and RFP are advised that material contained in their submittals is subject to the Public Information Act and may be viewed and/or copied by any member of the public, including news agencies and competitors.
6. EPLA reserves the right to reject any or all submittals received, or to award a contract on the basis of initial offers received without discussions or clarifications.
7. EPLA also reserves the right to conduct clarifications to resolve minor issues.
8. EPLA OBLIGATIONS: EPLA accepts no obligations for costs incurred by vendors responding to this RFQ/RFP or on being awarded the contract. EPLA reserves the right to select a submittal without discussion with the vendors. It is understood that submittals shall become part of EPLA official files. Retention of these submittals does not obligate EPLA to any action. EPLA reserves the right to reject any and all submittals received.
9. TAXES: EPLA is exempt from state, federal, and local taxes, and will not be responsible for any taxes levied on the company as a result of the contract resulting from this RFQ/RFP.
10. EQUAL OPPORTUNITY: It is the public policy of EPLA at all levels of procurement, to promote equal opportunity in employment and in contracting opportunities, and to promote and encourage the participation of Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs), small and other disadvantaged business entities in employment and contracting opportunities involving the State as fully as possible. The term "minority business enterprise" means a business at least 51 percent of which is owned, controlled and managed by minority group members. EPLA therefore, is committed to pursue such avenues in its employment and contracting activities which will further the goals of this policy.

Section 5

Insurance

1. Vendor MUST provide evidence of liability and workers compensation insurance with this submittal. EPLA retains the right of approval for insurance coverage.
2. The vendor shall agree to waive all right of subrogation against the district, its officials, employees and volunteers for losses arising from work performed by the engineer(s) for EPLA.
3. The vendor agrees to indemnify and hold harmless EPLA, its Board of Directors, individually and in their official capacities, and all employees and agents of owner, from any and all claims, actions, demands, suits, or causes of action, for personal injury, death or property damage, arising out of or related directly or indirectly to the project, brought by or on behalf of any person, group of persons, or legal entity.

Section 6

Non-Collusive Bidding Certificate

NON-COLLUSIVE BIDDING CERTIFICATE

By submission of this submittal, the bidder certifies that:

- a) This bid or submittal has been independently arrived at without collusion with another bidder or with any competitor;
- b) This bid or submittal has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of bids, or submittals for this project, to any other bidder, competitor or potential competitor;
- c) No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a bid;
- d) The person signing this bid or submittal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the bidder as well as to the person signing in its behalf.
- e) **THE FAILURE TO SIGN THIS CERTIFICATE MAY BE CAUSE FOR YOUR SUBMITTAL TO BE REJECTED.**

Company Name

Title

Authorized Signature

Date

Section 7

Criminal Notification

FELONY CONVICTION NOTIFICATION

Texas Education Code Section 44.034, Notification of Criminal History, Subsection (a), states “a person or business entity that enters into a contract with a school district must give advanced notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony.”

Subsection (b) states “a school district may terminate a contract with a person or business only if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in a conviction. The district must compensate the person or business entity for services performed before the termination of the contract.”

I, the undersigned agent for the firm named below, certify that the information concerning notification of felony convictions has been reviewed by me and the following information furnished is true to the best of my knowledge.

Vendor’s Name: _____

Authorized Company Official’s Name (Printed): _____

A. My firm is a publicly-held corporation; therefore, this reporting requirement is not applicable.

Signature of Company Official: _____

B. My firm is not owned nor operated by anyone who has been convicted of a felony:

Signature of Company Official: _____

C. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony:

Name of Felon(s): _____

Details of Conviction(s): _____

Signature of Company Official: _____

Attachment A

Video Teleconference Meeting Details for Public Opening of RFQ

Omar Yanar is inviting you to a scheduled Zoom meeting.

Topic: RFQ 2020-001 Design Build Services 6-12 Facility

Time: May 6, 2020 12:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/94498437508?pwd=bE5TRWtpUGpzUTZRb0wzQUdWTDc1UT09>

Meeting ID: 944 9843 7508

Password: 7DKHgD

One tap mobile

+13462487799,,94498437508#,,#,145383# US (Houston)

+16699006833,,94498437508#,,#,145383# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US

+1 301 715 8592 US

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 944 9843 7508

Password: 145383

Find your local number: <https://zoom.us/u/adUeZgIatc>

Attachment B

Visual Photos of one design aesthetic EPLA would like to consider for 6-12 facility



A9R5601.jpg



A9R5604.jpg



A9R5606.jpg



A9R5608.jpg



A9RFB4B.jpg



A9RFB4D.jpg



A9RFB5A.jpg



A9RFB5F.jpg



A9RFB41.jpg



A9RFB43.jpg



A9RFB45.jpg



A9RFB47.jpg



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