

**CROTON-HARMON UNION FREE SCHOOL DISTRICT  
REQUEST FOR PROPOSAL  
CONSTRUCTION MANAGEMENT SERVICES**

**I. PURPOSE**

- A. This Request for Proposal (“RFP”) is designed to comply with General Municipal Law §104-b requiring the use of a competitive RFP process to select a construction management firm for the Croton-Harmon Union Free School District (“District”).
- B. The District invites said Proposals from experienced and qualified construction management firms (“Firms”) to provide construction management services for the District in conjunction with upcoming capital projects in accordance with the scope indicated below.
- C. This RFP does not commit the District to award a contract, pay any cost incurred in the preparation of a proposal in response to this RFP, or to procure or contract for services. The District intends to award on the basis of the best interest and advantage to the District and reserves the right to request clarifications or corrections to proposals received, to accept or reject any or all proposals received as a result of this RFP, to negotiate with all qualified proposers, to waive what it deems to be an informality in the RFP process, to waive what it deems to be technical defects, irregularities and/or omissions relating to a specific proposal, to re-advertise and solicit additional proposals or to cancel this RFP in part or in its entirety, if it is in the best interest of the District to do so. The District may select the proposal which, in the District’s sole discretion and with whatever modifications the District and the proposer may mutually agree upon, best meets the District’s requirements whether or not that proposal has the lowest prices. No proposer shall have any legal, equitable, or contractual rights of any kind arising out of its submission of a proposal except as and to the extent that the District, in its sole discretion, shall enter into a contract with the proposer that is selected.

**II. PROPOSAL REQUIREMENTS**

- A. Firms may submit a proposal by 2:00 pm, January 5, 2017. Proposals shall be sent to the Business Office, 10 Gerstein Street, Croton-on-Hudson, NY 10520 to the attention of Ms. Diane L. Chaissan. Proposals received after this date and time will be returned unopened to the Firm.
- B. Proposals should be submitted in a sealed envelope and clearly marked “REQUEST FOR PROPOSAL: CONSTRUCTION MANAGER”.
- C. Firms should submit an original and ten (10) copies of their proposals. In addition, submit one (1) electronic media version. (pdf format preferred)
- D. The Proposals shall be concise and include the complete submission of the items required in Sections VI and VII.
- E. All proposals become the property of the District. All proposals will be made available upon request for public inspection after the award has been made, except to the extent that the submitting Firm has designated and the District concurs, that

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certain information constitutes a trade secret or other proprietary information or data. If a Firm believes that a portion of its proposal contains trade secrets or other proprietary data that should remain confidential and not be disclosed, a statement advising the District of this fact shall accompany the proposal and the information is to be identified wherever it appears. Identifying an entire proposal as proprietary is unacceptable and will result in no part of the proposal being treated as containing a trade secret or other proprietary information or data.

- F. The District will not reimburse responding Firms for any expenses incurred in preparing a proposal in response to this RFP.
- G. The District may reject incomplete proposals.

**III. BACKGROUND**

- A. The District invites construction management firms to submit proposals to perform construction management services for various capital improvement projects in the District. The District has retained KSQ Design to provide architectural and engineering services for the various projects.
- B. The anticipated scope of work for the successful construction management firm includes, but is not limited to, the projects located throughout the District that are described/listed in Attachment "A"
- C. The total budget for projects described/listed in Attachment "A" is \$20,815,100 including all construction costs and incidental expenses.
- D. Key project schedule dates are as follows:
  - 1. Public Referendum: October 18, 2016 – Approval Received
  - 2. Design Phase and SED review and approval/completion of Design: See Attachment "B" for anticipated overall schedule.
  - 3. Bid and contract award period: Immediately after SED approval
  - 4. Construction Phase: The successful proposer will work with the District and Architect to finalize the schedules. Latest anticipated timeframe is Spring/Summer 2018 to Summer 2021.

**IV. SCOPE**

The scope of services that the construction manager will be expected to provide shall include, but not be limited to, the following:

- A. Pre-construction
  - 1. Consult with the Architect and the District regarding the project program, budget, timetable and advisability of various bidding options.
  - 2. Assist the District and/or the Architect in selecting consultants (i.e. testing labs), where appropriate.

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3. Report regularly to the District on progress of design and construction documents, budgets and schedules.
4. Work with Architect and District to prepare project General Conditions tailored for each project scope of work and consult with the District's attorney for compliance with front end requirements.
5. Provide independent, project cost estimates based upon current construction costs, which may include actual bids received for similar scope and size of work, submitted at the completion of the following phases:
  - i. Schematic
  - ii. Design Development
  - iii. Construction Documents/Pre-bid
6. Assist in the development of construction-phasing schedule to be included in contract documents.
7. Review construction documents and provide recommendations (possible value engineering depending on the District budget) prior to establishing bid date.
8. Provide recommendations and package the documents into possible subdivisions by prime contract category to be included in the contract documents.
9. Solicit local bidder interest for the projects.
10. Conduct pre-bid conferences.
11. Conduct pre-award conferences with apparent low bidders to determine proposer understanding of bid documents and capacity/experience to complete work.
12. Assist the District and Architect in evaluating the responsiveness and completeness of construction bids received.

**B. Construction Phase and Closeout**

1. Provide start-up assistance.
2. Notify Architect of any deviation from contract documents.
3. Coordinate activities of utility companies and the regulatory agencies.
4. Coordinate all utility interruptions with the District.
5. On-site, continuous day-to-day inspection and supervision of all work in process including second shift, holiday and weekend work.
6. Ensure that contractors follow all Laws, Statutes, Codes and Regulations during construction and maintain required exit pathways.
7. Collect all bonds and insurance certificates from contractors and forward copies to the District.
8. Assist the District in monitoring the project budget and expenses.
9. Coordinate all site stored material locations and contractor staging.
10. Coordination of all contractors' activities.
11. Act as liaison between contractors, and the District and their designated representatives.
12. Monitor the quality of the work and verify compliance with plans and specifications. Identify poor quality and non-conforming work for correction by contractors.
13. To the extent feasible, prevent unauthorized visitors from entering the site.

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14. Review of contractor safety procedures on an on-going basis.
15. Assist in maintaining good relations with surrounding community and implementation of reasonable methods to control dust, noise, lighting, odor, etc. as required by the contract specifications to minimize disturbances.
16. Solicit, review and approve construction schedules.
17. Review and validate any time and material work.
18. Review and process contractor payment applications prior to approval by the Architect, and maintain a log of all payments for all trades.
19. Review contractor change order requests and proposals and make recommendations to the Board of Education and Architect.
20. Monitor construction schedules and initiate corrective actions with contractors to remain on schedule.
21. Prepare and maintain a master project schedule to be updated weekly.
22. Log, monitor and review all requests for information (RFI's).
23. Expedite submission of all submittals and shop drawings and maintain accurate logs showing status of all submittals and shop drawings showing the status of each at each phase of submission and review.
24. Maintain a daily log of activities on the job site, including but not limited to listing visitors to the job site, weather conditions and descriptions of occurrences at the job site.
25. Coordinate and monitor all required site and material testing during construction. Receive and review of test reports. Provide/recommend response to any test results failing to meet applicable specifications or requirements.
26. Notify Architect in advance of, and coordinate required construction and testing observations to be witnessed by Architect or Engineers.
27. Conduct weekly contractor site job meetings, including the preparation of meeting minutes and distribution to all parties.
28. Attend required meetings with the District and Architect.
29. Prepare and present progress reports to the Croton-Harmon Board of Education monthly.
30. Maintain documentation and photographs of project progress. The time, date and location of the photographs must be documented.
31. Monitor and coordinate the progress of all project record drawings and initiate corrective actions with contractors to keep record drawings current.
32. Collect and organize for delivery to the District all operating manuals, equipment lists and maintenance manuals required by the project documents.
33. Maintain a file of all project documentation to be given to District at project completion.
34. Coordinate building occupancies and construction phasing to comply with the needs of the Board of Education.
35. Coordinate punch list inspections and verify execution of punch list items, with final acceptance and sign off indicating compliance with the construction documents.

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36. Assist the District's personnel in assuming operation of all systems, including scheduling of instructional sessions by the applicable contractor as required in the project documents.
37. Assist the District in exercising guarantees and warranties.

C. The Architect has been retained to provide the following services:

1. Review and approve shop drawings and submittals.
2. Maintain a log of all proposal requests and contractor proposals.
3. Prepare all contracts and change orders.
4. Conduct periodic site visits.
5. Collect and distribute all project closeout documentation.
6. Process applications for payment from contractors.
7. Prepare all Certificates of Substantial Completion and Occupancy Certifications.

**V. TERM OF CONTRACT**

The contract period shall be for a period of time commencing with the award of the RFP to the completion of the projects described/listed in Attachment "A". The District shall have the option, in its sole discretion, to renew this contract at the same terms and conditions included in this RFP for additional capital projects that are approved. The District reserves its right, at any time, to cancel such contract for any reason in accordance with the provisions of Section IX.

**VI. MANAGEMENT & QUALIFICATIONS**

Proposals must include the following information:

- A. Experience: Responding Firms should include details of experience with projects of similar size and complexity to the projects described/listed in Attachment "A". Include a brief description of such projects, contract amount and completion date. Firms' prior experience as a construction manager should include at least five completed projects. Firms must demonstrate prior experience as a construction manager for School Districts. Prior experience as a construction manager will be a major consideration. Emphasis will be placed on the experience of the individuals that will be working on the District's projects. General firm experience within the past five years involving individuals still employed by the submitting Firm will also be considered.
- B. Firm Profile: State the size of the firm, firm background, the location of the office from which the services for the District will be performed when not on site. State the name(s) of the officer(s) and associate(s) in the firm. Clearly identify the project team and their responsibilities, including resumes of the team and of the project manager to be assigned to the District. The District is interested in assurances that those identified as being on the team will remain with the District's projects until all are completed. If at the time of completing this RFP individuals have not been assigned

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to the District, the Firm shall provide the resumes of all possible candidates from which the District shall make a final selection.

- C. Identify the nature of any potential conflict of interest the Firm or individual might have in providing these services to the District.
- D. List the Firm's current projects including name, contract amounts and completion dates.
- E. Describe the Firm's financial position and staff capability.
- F. Explain the Firm's management plan and how it will staff the project.
- G. Please provide details regarding your understanding of the scope of services required and the approach the Firm would use to achieve the District's objectives.
- H. Explain how the Firm will keep the projects on schedule, and how the Firm plans to coordinate and phase the work to minimize disruption to the District's operations.
- I. Outline methods and techniques used in the past by the Firm to contain and reduce project costs.
- J. Provide at least three (3) references for similar New York school districts where your firm was the project manager of record. Please list the architectural or engineering firms the Firm worked with for the references provided.
- K. The selected firm shall not bid or perform any of the trade construction work.
- L. Set forth the Firm's experience, resources and individuals involved in representing owners in analysis and timely resolution of contractor construction claims.
- M. Describe the Firm's approach and procedure regarding change orders.

**VII. FEES**

The District requests that fees be based on a total fixed sum or percentage of the final construction cost, which shall be adjusted accordingly for both increases and decreases in the scope of work. Allowances shall not be incorporated into final construction cost. Fees should be all inclusive of transportation, insurance, meals, etc.

**VIII. INTERVIEW**

The selection process will include an interview(s) with any combination of the Assistant Superintendent for Business, Superintendent of Schools, District Architect, Director of Facilities and the Board of Education. The potential timeframe for interviews, which may include evening interviews, is detailed in Section XI. Firms should be prepared to be

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interviewed at any point during this period. Advance notice will be given to the Firm of the selected date and time. The District will not reimburse Firms for any expenses incurred or time spent at any interviews conducted for this RFP.

**IX. TERMINATION OF CONTRACT**

Any contract agreed to under this RFP is subject to termination by either party, for any reason, upon thirty (30) days written notice to the other party. In the event of termination of the contract, the District's responsibility shall be limited to payment for services performed.

**X. RIGHTS**

The Board of Education of the District reserves the right to:

- A. Request clarifications, corrections or additional information from any Firm who submitted a proposal.
- B. Negotiate with the submitting Firms, the fees and terms of the engagement.
- C. Reject, without prejudice and for any reason, any and all RFP's or any parts of any proposals.
- D. Reject staff assigned who the District believes does not have the appropriate experience or qualifications to perform the required services.
- E. Waive what it deems to be an informality in the RFP process and to waive what it deems to be technical defects, irregularities and/or omissions relating to a specific proposal.
- F. Re-advertise and solicit additional proposals.
- G. Cancel this RFP in part or in its entirety.
- H. Select the individual or firm that, in its opinion, best meets the District's needs. This is not necessarily the firm whose fees are the lowest.

**XI. TIMELINE**

The proposed timeline for review of the RFP and selection of a firm is as follows (this may change at the discretion of the District):

- Distribution of RFP: December 8, 2016
- Pre-proposal meeting December 21, 2016 @ 10 am
  - 10 Gerstein Street, Croton-on-Hudson, NY 10520

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- RFP's Due to the District: January 5, 2017
- Evaluation of RFP's: January 2017
- Interviews: Late-January 2017
- Final Selection: Mid-February, 2017

**XII. CRITERIA FOR SELECTION**

Proposals will be evaluated on the basis of the following criteria:

- A. **Experience.** Demonstrated experience of the team in providing services as On-Site Construction Management for similar projects at school district facilities.
- B. **Team Composition.** Experience of the team, previous successful projects with the proposed team members.
- C. **On-Time & On-Budget performance on previously completed projects.** Demonstrated ability to meet District goals for budget and schedule.
- D. **Specific Project Approach and CM Services.** Methods your firm will utilize to maintain the project schedule, track budgets, and contain costs. Overall approach and methods your firm will utilize to facilitate and implement the project.
- E. **Knowledge of State Education Department Rules/Regulations/Guidelines**
- F. **Cost of Services.** Cost of services, anticipating all tasks required to complete the proposed work.

**XIII. INDEMNIFICATION**

The successful Firm shall defend, indemnify and save harmless the District, its employees and agents, from and against all claims, damages, losses and expenses (including without limitations, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the successful Proposer its employees, or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

**XIV. INSURANCE REQUIREMENTS**

If this RFP results in a contract between the District and the Firm, the Firm will be **required** to agree to the terms below and provide evidence of minimum insurance of the types and the amounts listed.

- A. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the Firm 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,



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N.Y. State disability and professional liability. If the policy is written on a claims-made basis, the retroactive date must precede the date of the contract.

B. The policy naming the District as an additional insured shall indemnify the District for any applicable deductibles and self-insured retentions.

C. Required Insurance:

1. **Commercial General Liability Insurance**

a. \$1,000,000 per occurrence/ \$2,000,000 aggregate.

2. **Workers' Compensation and N.Y.S. Disability**

a. Statutory Workers' Compensation, Employers' Liability and N.Y.S. Disability Benefits Insurance 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.

b. A self-employed person and certain partners and corporate officers are excluded from the definition of "employee" pursuant to Workers' Compensation Law Section 2 (4). As such, individuals in such capacity are excluded from Workers' Compensation Law coverage requirements. A person seeking an exemption must file a CE-200 form with the state. The form may be completed and submitted online:

[http://www.wcb.ny.gov/content/ebiz/wc\\_db\\_exemptions/requestExemptionOverview.jsp](http://www.wcb.ny.gov/content/ebiz/wc_db_exemptions/requestExemptionOverview.jsp)

3. **Professional Errors and Omissions Insurance**

a. \$2,000,000 per occurrence/ \$2,000,000 aggregate for the professional acts of the firm performed under the contract for the district. If written on a "claims-made" basis, the retroactive date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for two years following the completion of work.

4. **Excess Insurance**

a. \$1,000,000 each occurrence and aggregate. Excess coverage shall be on a follow-form basis

D. The Firm acknowledges that failure to obtain such insurance on behalf of the District constitutes a material breach of contract. The Firm is to provide the District with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of services. The failure of the District to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the district.

E. The District is a member/owner of the NY Schools Insurance Reciprocal (NYSIR). The Firm further acknowledges that the procurement of such insurance as required

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herein is intended to benefit not only the District but also NYSIR, as the District's insurer.

**XV. INQUIRIES**

All inquiries regarding this RFP should be directed to:

Ms. Diane L. Chaissan  
Assistant Superintendent for Business  
10 Gerstein Street  
Croton-on-Hudson, NY 10520  
914-271-4713 x4211  
[Diane.chaissan@chufsd.org](mailto:Diane.chaissan@chufsd.org)

Or

Mr. Paul Gibbons  
Director of Facilities  
8 Gerstein Street  
Croton-on-Hudson, NY 10520  
914-271-4713 x3209  
[Paul.gibbons@chufsd.org](mailto:Paul.gibbons@chufsd.org)