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RFP NUMBER/NAME: 21A2, Thurmont Elementary School Limited Renovation Program- Design Build

RFP ISSUE DATE: November 19, 2020

CONTRACT MANAGER: Kim Miskell, CSBO, Assistant Purchasing Manager, kim.miskell@fcps.org

CONTRACT ADMINISTRATOR: Adnan Mamoon, Director of Capital Programs, Division of Operations, adnan.mamoon@fcps.org

QUESTIONS: A pre-proposal meeting will not be held.
Questions due no later than 4:00 P.M., local time, on December 4, 2020
Submit questions in writing to the Contract Manager listed above with a copy to the Contract Administrator.

OBTAINING BID DOCUMENTS: To view and/or download this solicitation package please visit our webpage at: www.fcps.org/bidlist. If you have problems downloading this bid or applicable addenda, contact: amy.beall@fcps.org

BONDS REQUIRED: NO

MBE REQUIREMENTS: NO

LETTERS OF INTEREST DUE DATE: 11:00 A.M., local time, on December 14, 2020
RFP's will be opened and publicly read utilizing Skype Business:
Skype Business: (240) 236-6172 (FCPS) Conference ID: 7907906
Meeting URL: <https://meet.fcps.org/kimberly.miskell/D21WC0P9?sl=1>

LOI SUBMISSION: Due to COVID-19, in order to protect our Vendors and Staff, the Purchasing Department will only be accepting on-line bid submissions via [ProcureNow](https://secure.procurenw.com/portal/fcps) <https://secure.procurenw.com/portal/fcps>
Meeting URL: <https://meet.fcps.org/kimberly.miskell/D21WC0P9?sl=1>

TENTATIVE AWARD DATE: BOE Work Session, scheduled on: April 14, 2021

ELIGIBILITY TO BID: All Frederick County Public School vendors and or contractors interested in bidding on FCPS projects must register at eMaryland Marketplace Advantage www.procurement.maryland.gov. FCPS will no longer accept bidder's applications.

RFP #21A2
Request for Letter of Interest
Design Build Services for Limited Renovation of Thurmont Elementary School

Frederick County Public Schools is soliciting Design-Build services for a limited renovation of Thurmont Elementary School (TES), located at 805 East Main Street, Thurmont, MD 21788. The single-story building was originally constructed in 1955. Additions to the school were made in 1959 and 1976, resulting in a facility of 60,331 gross square feet. The academic wings largely consist of open classrooms with demountable partitions.

A facility and program assessment was completed in September 2020 to determine opportunities for a limited renovation at Thurmont ES. The study analyzed the condition of all building systems to recommend projects that would extend the life of the building for 20 to 30 years. The current space usage was also compared to the current Board of Education (BOE) approved elementary educational specifications as scaled for the current state rated capacity (SRC) of TES of 368 students, which led to the development of a test-fit option. At the conclusion of the study, staff recommended and the BOE approved the scope of the limited renovation project for TES along with development of a full educational specification document. A copy of the facility and program assessment study is available upon request by sending an email request to Kim Miskell at kim.miskell@fcps.org. The educational specifications will be provided to firms invited to submit a full technical and fee proposal.

The school serves students in 3rd through 5th grades and has an existing SRC of 368 students. The September 2019 equated enrollment was 312 students. The school is operating at 85% of capacity. After enclosing the open space classrooms and adding spaces to meet the current educational program, FCPS anticipates that the SRC will be 483 at the completion of the project.

The limited renovation will be focused in the academic wings, totaling approximately 24,000 sf although some work will be done throughout the building where noted. The following systems will be addressed:

- Architectural
- Structural
- Mechanical
- Lighting
- Electrical
- Plumbing
- Fire Safety
- Communication

In addition to addressing systemic issues, the limited renovation will also address spatial and program issues primarily in the academic wing. Anticipated work within the academic wing includes, but is not limited to, construction of fixed walls to replace the demountable partitions; reconfiguration of HVAC ductwork, lighting and electric wiring and controls, security and internet communication devices, fire/smoke detection and alarms, and reconfiguration and construction of bathroom facilities to meet ADA and code requirements. Also, replacement of HVAC controls, all room heating units, casework, drinking fountains, ceiling grid and tile, all interior and exterior doors and windows, entire roof, flooring (with the exception of the art room and the terrazzo flooring) and main electrical panel, renewal of wall finishes, upgrade of chalkboards to whiteboards, selective repointing of exterior (five percent of the area assumed), addition of lockers, installation of a wet-pipe sprinkler system, new security vestibule, air-conditioning in

gymnasium and new public address system. Limited site work will also be included to improve the main entrance. The Design Builder will be responsible for verifying the scope of work.

The limited renovation project is expected to take place over two summer breaks with the school remaining occupied by students, faculty and administration during the school years with limited disruption due to the project. FCPS will consider opportunities to conduct limited work during other school breaks or in areas of the building that can be isolated during the school year. Design and permitting of the project is expected to begin in June 2021 upon award of the Design-Build contract and continue through May 2022. The majority of the Phase 1 construction work will occur over the 8-week summer break between June and August 2022 but may also occur during student breaks and when the work will not disrupt the students' education. Similarly, the second phase of construction would occur over the 8-week summer break between June and August 2023 or during student breaks. The anticipated construction budget for this project is \$8.3 Million (including construction, site, design, and Design Builder Fees as well as permit fees).

Only letters of interest from Design-Build teams will be considered. The Design-Build team will be led by the design builder and include such professionals as architect, civil, mechanical, electrical and structural engineers, communication/data network consultants, food service consultants, etc. All members of the Design-Build team shall be included in the response to this solicitation.

Interested Design-Builders shall submit an electronic cover letter indicating their interest in this project and listing any relevant experience that qualifies the team for this project. You must also identify the Design Builder project manager, and the design team project manager, and names of all members of your design team including sub-consultants. In addition to individual names of sub-consultants, include company names, addresses, phone numbers and emails. Please utilize SF330 forms parts I and II.

If you are interested in being considered, please submit your letter of interest electronically through ProcureNow. A FREE account can be created with ProcureNow by signing up at <http://secure.procurenw.com/signup>. Letters of Interest shall be submitted electronically prior to 11:00 a.m., Monday, December 14, 2020. Be sure to include the RFP number on the Letter of Interest.

Should you have questions about this RFP, submit them in writing to kim.miskell@fcps.org by 4:00 PM on December 4, 2020, so that all questions and answers may be shared via an addendum.

A team of FCPS staff will independently review and evaluate all letters of interest and select the top qualified firms. These firms will be invited to submit a full technical and fee proposal.

Your continued interest in serving the Frederick County Public Schools is appreciated. Should you have any questions concerning this matter, please contact Kim Miskell at (301) 644-5208.

A team of FCPS staff will evaluate the letters of interest and supporting documents. Five to eight firms will then be invited to submit a technical and fee proposal. Selection of those invited to respond to the RFP will be based in part on the firm's experience with Design-Build educational projects, experience with similar projects and experience working in Maryland as well as your sub-consultants' experience with similar projects. The technical/fee proposals will be evaluated separately.

Thank you for your attention to this matter and your interest in our projects.

RFP 21A2, THURMONT ELEMENTARY SCHOOL LIMITED RENOVATION PROGRAM
DESIGN BUILD
FPREDERICK COUNTY PUBLIC SCHOOLS

STATUTORY AFFIDAVIT AND NON-COLLUSION CERTIFICATION

Special Instructions: An authorized representative of the bidder needs to complete the following affidavit and insert an answer to paragraphs 1 and 3.

BIDDERS: The submission of the following Affidavit at the time of the bid opening is:

requested to be completed but not required to be notarized.

required to be completed and notarized.

I, _____, being duly sworn, depose and state:

1. I am the _____ (officer) and duly authorized representative of the firm of
the organization named _____ whose address is
(Name of Corporation)
_____ and that I

possess the authority to make this affidavit and certification on behalf of myself and the firm for which I am acting.

2. Except as described in paragraph 3 below, neither I, nor to the best of my knowledge, the above firm, nor any of its officers, directors, or partners, or any of its employees who are directly involved in obtaining or performing contracts with any public bodies has:
- a. been convicted of bribery, attempted bribery, or conspiracy to bribe, under the laws of any state or of the federal government;
 - b. been convicted under the laws of the state, another state, or the United States of: a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract; or fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property;
 - c. been convicted of criminal violation of an antitrust statute of the State of Maryland, another state, or the United States;
 - d. been convicted of a violation of the Racketeer influenced and Corrupt Organization Act, or the Mail Fraud Act, for acts in connection with the submission of bids or proposals for a public or private contract;
 - e. been convicted of any felony offenses connected with obtaining, holding, or maintaining a minority business enterprise certification, as prohibited by Section 14-308 of the State Finance & Procurement Article;
 - f. been convicted of conspiracy to commit any act or omission that would constitute grounds for conviction under any of the laws or statutes described in Paragraph (a) through (e) above; or
 - g. been found civilly liable under an antitrust statute of this State, another state, or the United States for acts or omissions in connection with the submission of bids or proposals for a public or private contract.

3. The only conviction, plea, or admission by any officer, director, partner, or employee of this firm to involvement in any of the conduct described in Paragraph 2 above is as follows:
 If none, write "None" below. If involvement, list the date, count, or charge, official or administrative body, the individuals involved, their position with the firm, and the sentence or disposition of the charge.

 (you may attach an explanation if necessary)

4. I affirm that this firm will not knowingly enter into a contract with a public body under which a person or business debarred or suspended under Maryland State Finance and Procurement Title 16, subtitle 3, Annotated Code of Maryland, as amended, will provide, directly or indirectly, supplies, services, architectural services, construction-related services, leases of real property, or construction.
5. I affirm that this proposal or bid to the Board of Education of Frederick County is genuine and not collusive or a sham; that said bidder has not colluded, conspired, connived and agreed, directly or indirectly, with any bidder or person to put in a sham bid or to refrain from bidding and is not in any manner, directly or indirectly, sought by agreement of collusion or communication or conference, with any person to fix the bid prices of the affidavit or any other bidder, or to fix any overhead, profit or cost element of said bid price, or that if any bidder, or to secure an advantage against the Board of Education of Frederick County or any other person interested in the proposed contract; and that all statements in the proposal or bid are true. I acknowledge that, if the representations set forth in this affidavit are not true and correct, the Board of Education of Frederick County may terminate any contract awarded and take any other appropriate action.

I DO SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the contents of this affidavit are true and correct, that I am executing this Affidavit in compliance with Section 16-311 of the State Finance and Procurement Article, Annotated Code of Maryland, and in compliance with requirements of the Board of Education of Frederick County, and that I am executing and submitting this Proposal on behalf of and as authorized by the bidder named below.

 (Legal Name of Company)

 (dba)

 (Address)

 (City) (State) (Zip)

 (Telephone) (Fax)

 (Print Name) (Title) (Date)

 (Signature) (Title) (Date)

We are/I am licensed to do business in the State of Maryland as a:
 Corporation Partnership Individual Other

If required to be notarized:

 (Witness) (Title)

SUBSCRIBED AND SWORN to before me on this _____ day of _____, 20____.

 NOTARY PUBLIC

My Commission Expires: _____

RFP 21A2, THURMONT ELEMENTARY SCHOOL LIMITED RENOVATION PROGRAM
DESIGN BUILD
FREDERICK COUNTY PUBLIC SCHOOLS

CERTIFICATION OF COMPLIANCE

1. All Contractors, subcontractors or vendors must abide by FCPS Board policies and regulations while working on FCPS property.
2. Maryland Law requires that any person who enters into a contract with a county board of education may not knowingly employ an individual to work at a school (or FCPS facility) if the individual is a registered sex offender. Please reference §11-113 of the Criminal Procedure Article of Maryland Code for penalty.
3. Be advised that individuals who are registered sex offenders are not eligible to work on any FCPS project. The Contractor must initially check the Maryland Department of Public Safety & Correctional Services' MARYLAND SEX OFFENDER REGISTRY and search for the name of any employee to be assigned to work on this project. This applies to subcontractors and material/equipment suppliers as well.
4. In the event that a registered sex offender is discovered to be working on a FCPS project, whether through employment by the prime Contractor, subcontractor or vendor, the site superintendent will immediately remove the individual from the premises and permanently terminate his work assignment. FCPS may terminate this contract as a result if the Contractor is unable to demonstrate he has exercised care and diligence in the past in checking the Maryland registry.
5. Effective July 1, 2015, amendments to §6-113 of the Education Article of the Maryland Code further require that a contractor or subcontractor or vendor for a local school system may not knowingly assign an employee to work on school premises with direct, unsupervised, and uncontrolled access to children, if the employee has been convicted of, or pled guilty or nolo contendere to, a crime involving:
 - a. A sexual offense in the third or fourth degree under §3-307 or §3-308 of the Criminal Law Article of the Maryland Code.
 - b. Child sexual abuse under §3-602 of the Criminal Law Article of the Maryland Code or any other State; or
 - c. A crime of violence as defined in §14-101 of the Criminal Law Article of the Maryland Code or any other State
6. With the passing of Maryland Law MD. Code, Educ. 6-113.2, employers of all contracted staff must obtain background information relating to child sexual abuse or sexual misconduct. This means that all contracted staff having direct contact with students must meet all of the FCPS and Maryland State Department of Education (MSDE) requirements before doing business with FCPS. See: [Maryland State Department of Education Website](#); [House Bill 486 Child Sexual Abuse and Sexual Misconduct Prevention](#); [MSDE Guidelines For MD. Code, Educ. 6113.2](#); and [Employment History Review Form for Child Abuse and Sexual Misconduct](#) for additional information.

In addition, there has been no change to the current FCPS requirement, that all contracted staff who have contact with students are required to be fingerprinted in order to obtain a criminal background check. Fingerprints and background check are still an enforced FCPS requirement.

7. Under recent amendments to §5-561 of the Family Law Article of the Maryland Code, each contractor, subcontractor, or vendor shall certify by signing this affidavit that any individuals in its work-force including sub-contractors, have undergone a criminal background check, including fingerprinting, if the individuals will work in a FCPS school facility in circumstances where they have direct, unsupervised, and uncontrolled access to children.

By my signature below, I affirm under penalties of perjury that the contents of this Certification of Compliance are true to the best of my knowledge, information and belief.

Signature _____ Date _____

Print name and title of signatory _____

Print name of company _____

By my signature below, I affirm under penalties of perjury that the contents of this Certification of Compliance are true to the best of my knowledge, information and belief.

Signature _____ Date _____

Print name and title of signatory _____

Print name of company _____

Vendor Conflict of Interest Disclosure Form

All vendors interested in conducting business with Frederick County Public Schools (FCPS) must complete and return the Vendor Conflict of Interest Disclosure Form, in order to be eligible to be awarded a contract with FCPS.

Please note that all vendors must comply with FCPS’s conflict of interest certification, as stated below.

If a vendor has a relationship with a FCPS employee or an immediate family member (spouse, child (stepchild or adopted), parent, or sibling) of a FCPS employee, the vendor shall disclose the information required below.

Certification: I hereby certify, that to the best of my knowledge, there is no conflict of interest involving the vendor named below:

1. No FCPS employee or the employee’s immediate family member has an ownership interest in the vendor’s company, or is deriving personal financial gain from this contract.
2. No retired or separated FCPS employee who has been retired or separated from the organization for less than one (1) year has an ownership interest in the vendor’s company.
3. No FCPS employee is contemporaneously employed or prospectively to be employed with the vendor.
4. The vendor did not provide any information or criteria in the drafting of the solicitation prior to it being advertised for competitive pricing.
5. Vendor hereby declares it has not, and will not provide gifts or hospitality of any dollar value, or any other gratuities to FCPS employee to maintain a contract.
6. Vendor hereby declares that in the process of preparing a quote/bid/proposal for FCPS, there have been no acts of bribery, extortion, trading, laundering of corrupt practices, and/or nepotism have transpired between FCPS employee and the vendor.
7. Please note any other exceptions below.

Vendor Name & Email	Vendor Address & Phone Number
Conflict of Interest Disclosure	
Name of FCPS employee or immediate family member with whom there may be a potential conflict of interest. <i>If no conflict of interest, write “N/A” and initial.</i>	Disclose the relationship to the employee or the immediate family member, their interest in the vendor's company, and any additional information

I certify that the information provided is true and correct by my signature below:

Signature of Vendor Authorized Representative/Date

Printed Name of Vendor Authorized Representative