



# San Diego Unified School District

BUSINESS SUPPORT SERVICES  
2351 Cardinal Lane, San Diego, CA 92123-3799

Prop. S ICOC  
Exhibit 5.2  
September 17, 2009

(858) 522-5840  
Procurement and Contracts Department

## **REQUEST FOR PROPOSALS (RFP) NO. PS**

### **PROPOSITION S INDEPENDENT CITIZENS OVERSIGHT COMMITTEE (ICOC) CONSULTANT SERVICES**

*September 2009*

#### **I. Background/Scope**

The San Diego Unified School District (the "District") is soliciting Requests for Proposals (RFP) from qualified firms and persons to provide consultant services to the Proposition S Independent Citizens Oversight Committee (ICOC). The District Currently has over 135,000 students attending classes at 221 sites comprised of elementary, middle and high schools within a 210 square mile radius, making it the second largest school district in California and the ninth largest urban district in the United States.

On November 4, 2008 the voters of San Diego County approved Proposition "S" ("Prop. S"), a \$2.1 billion school construction bond, to improve safety and support student learning and instruction. A complete list of projects with a summary of designated schools can be viewed on the District's website at <http://www.sand.net/PropS/>.

As required by state law, the District is restricted to using Prop. S funds for the construction, reconstruction, rehabilitation, or replacement of school facilities, furnishing or equipping school facilities, or the acquisition or lease of real property for school facilities. The District may not use bond funds for teacher or administrator salaries or other school operating expenses. To ensure it is meeting its obligations under the law, the District is required to: 1) list the specific school facilities projects to be funded, 2) conduct an annual independent performance audit to ensure that the funds have been expended only on the specific projects listed, and 3) conduct annual independent financial audits of the proceed from the sale of bonds until all of those proceeds have been expended for the school facilities projects. (CA Constitution Article XIII A, Section 1)

Also as required by state law, the District established an Independent Citizen's Oversight Committee (ICOC). The purpose of the ICOC is to inform the public concerning the expenditure of bond revenues. To this end, the ICOC is required to actively review and report to the public on the proper expenditure of taxpayers' money for school construction, and advise the public as to whether the District is in compliance with state law in the use of Prop. S funds. More information about the ICOC can be found on the District's website at [www.sandi.net/PropS/ICOC](http://www.sandi.net/PropS/ICOC). The successful candidate for this RFP will assist the ICOC in the conduct of its work and will be supervised by the ICOC in the execution of the work. (CA Education Code 15278 et seq.)

No Prop. S funds shall be used to fund the services described herein.

The scope of work includes, but is not limited to the following:

1. Staff ICOC meetings, ICOC subcommittee meetings and special meetings, including Board of Education special and regular meetings, as required and directed by the ICOC.
2. Coordinate ICOC web site maintenance as required.
3. Prepare and coordinate the independent Annual Financial Audit and the independent Annual Performance Audit as required law and consistent with ICOC objectives.
4. Schedule, prepare and coordinate distribution of quarterly ICOC activity reports to the Board of Education.
5. Coordinate financial project reconciliation services as directed by the appropriate ICOC subcommittee.
6. Coordinate and prepare for ICOC review the following:
  - a. special annual audits and/or evaluation reports for selected tasks as directed by ICOC.
  - b. an annual review of the District's Prop. S staffing plan.
  - c. site reviews of Prop. S construction projects in progress, as needed, to verify costs as reported by District staff.
  - d. any and all Prop. S staff reports documenting efforts to implement cost savings measures. Examples of such measures are: reducing professional fees, reducing site preparation costs, participating in joint use programs, incorporating efficient school site design, and design and implementation of reusable plans.
  - e. an annual review of the District's deferred maintenance program.
  - f. an annual report on the Prop. S Business Outreach Program and programs required under the District's Project Stabilization Agreement.
  - g. an annual report on the Labor Compliance Program pertaining to projects financed by Prop. S.
  - h. an annual report on the joint use facilities projects and property acquisitions financed by Prop. S.
  - i. any and all presentations, workshops and special reports of the ICOC as directed.
7. Participate in the review of the District's three-year construction plan.

The term of the contract will be three (3) years with two (2) one (1) year options at District's discretion. A cost of living adjustment will be incorporated in the contract at the end of each term.

## **II. Submission and Timeline**

Tentative schedule, subject to change without notice, is as follows:

RFP Release:	September 18, 2009
Statement of Qualifications Due (3:00 p.m.):	October 9, 2009
Interviews at District's discretion:	October 23, 2009
Notification of Intent to award:	November 6, 2009
Board Approval of Contract(s):	December 8, 2009

Note: The list will remain in effect for a minimum of 6 months. Interested firms must submit five (5) copies of their written statement of qualifications to:

San Diego Unified School District  
Business Support Services

2351 Cardinal Lane, Building "M"  
San Diego, CA 92123-3799  
Attn: ICOC c/o Joanne Pilgrim, Facilities Contract Supervisor

*Responses must be received by personal delivery or by U.S. Mail no later than 3:00 p.m. on October 9, 2009 to the above listed address. Any late submittals shall be deemed non-responsive, and the District shall reject any submittals received after the deadline stated above and will return them unopened.*

**III. Submission Format:**

The RFP should address the following items succinctly and specifically within the appropriate sections as noted below. Failure to include all specified sections in the response to this RFP may be deemed non-responsive.

Each RFP must be presented to the District in a bound fashion. No pages of the response shall be loose or inserted in binder pockets as a substitute for being included within the bound portion of the response. Each section of the RFP must be tabbed according to the numbered index system indicated.

- a. Title Page: Includes the name of the firm or principal individual, business address, business telephone, fax and e-mail address, if available. If a joint venture, provide the contact information for each participating organization. Whether a single entity or joint venture, a single entity must be identified as primary for all communications with the District. Contact information for the project manager from that primary firm must be provided. Note: Payment for all services rendered will be made to the primary firm.
- b. Table of Contents: Includes a complete and clear listing of headings and page numbers to allow easy location of key information.
- c. Company: Legal form of organization, i.e. LLC, corporation, joint venture, etc.
- d. Proposed Work Plan and Annual Budget Estimate: Provide a plan of work for project staff. The work plan should include an estimate of the number of hours each staff member will contribute toward completion of project work, and any non-staff expenses that will be necessary to complete project work. A description of the proposed approach to providing the services must be included.
- e. Firm Background/History: Identify the ownership structure of the firm and provide a one-page history, including number of years the firm has provided similar services for both public and/or private sector clients.

If the RFP is being submitted by a Joint Venture of two or more firms, each firm must provide background/historical information. In addition, the statement must describe the proposed working relationship of the firms and the percentage of the total work each firm is expected to complete.

- f. Recent Experience: Provide the firm's recent experience with oversight activities of California public agencies, particularly K-12 school facilities bond oversight activities, if available. Provide examples of a minimum of three recent projects with cost, reviewing agencies, and terms.
- g. References: Provide a minimum of three references of oversight experience of California public agencies, particularly, if available, K-12 school facilities bond oversight experience. References should include the name of the contact person and telephone numbers for agency

representative, and a regulatory approval representative who was involved in the process, for each project.

- h. Staff Qualifications: Provide the qualifications and recent experience of the staff to be assigned to the District's projects, including resumes and professional licenses.
- i. Quality Assurance Plan: Describe the quality assurance procedures employed by your firm to minimize change orders and ensure well-coordinated and complete projects.
- j. Claim/Litigation/Arbitration History: List all claims, lawsuits or arbitrations filed by the following:
  - (1) On behalf of your firm, in the last five (5) years related to consulting services, including but not limited to, against a client for whom you performed professional services.
  - (2) Against your firm, in the last five (5) years related to consulting services, including but not limited to, a client for whom you performed professional services.
  - (3) On behalf of or against your firm, or on behalf or against any project staff, involving the District or any District employee acting in the course of work as a District employee.

For items (1) and (2) above, a claim is defined as a demand for payment that is disputed.

For all items, a lawsuit is an actual complaint filed in court. Arbitration is an alternative dispute resolution in which a neutral third party renders a decision after a hearing in which both sides have an opportunity to be heard.

- k. Location of Firm and Consultants: Provide the address of the primary firm, (and joint venture firms if applicable), and addresses of all proposed team members. Priority will be given to firms with principal offices located within the boundaries the San Diego Unified School District. The respondent acknowledges that the District seeks to promote employment and business opportunities for local residents and firms on all contracts. The respondent will, to the extent legally possible, solicit applications for employment and proposals for subcontracts for work associated with this document from qualified residents and firms located within San Diego Unified School District boundaries as such opportunities occur. The respondent agrees to hire such residents and firms whenever feasible.
- l. Sub-Consultants: Identify all professions/trades which are not "in-house" services. Specify names, professional licenses earned, and experience of the firms.
- m. Employment Diversity: Participation of small emerging business enterprises (EBEs) including minority, women, and disabled veteran-owned business enterprises is encouraged. The District actively encourages the diversity of qualified professionals on the project team and encourages the primary firm, sub-consultant firms and vendors to demonstrate employment diversity by exerting assertive efforts to improve employment of EBEs in the conduct of the project work.
- n. Cost Summary: Provide a Schedule of Rates (SOR) for the primary firm (or all firms if there is a joint venture or partnership). The SOR shall consist of a list of project staff categories with maximum hourly billing rates. Any proposed reimbursable expenses should also be listed. Also, identify hourly rates of any primary sub-consultants.

- o. Additional Information and Comments: Include any other information that you feel is pertinent but not specifically asked for herein.
- p. Signature Page: Indicate that the proposal will be valid for a period of at least six months, apply the signature of the person responsible for the proposal and a statement that said person has the authority to bind the company with this type of proposal.

**IV. Submittal Information**

Responses will be accepted electronically, subject to verification of delivery by the District.

Written responses shall be submitted on 8½ x 11 paper, single sided with font no less than 10 point. Each written submittal shall be no longer than twenty-five (25) pages in length, including the Table of Contents. Exhibits and tabs are excluded. Exhibits can be larger than 8-1/2 x 11. Each section of the RFP must be tabbed according to the numbered index system indicated.

Each written RFP must be presented to the District in a bound fashion. No pages of the response shall be loose or inserted in binder pockets as a substitute for being included within the bound portion of the response. Please provide the District with five (5) copies which are in binders.

Written submittals are to be placed in sealed packages with the following information clearly marked on the outside of each package:

- (1) Name of Provider responding
- (2) Title: "Proposition S Independent Citizens Oversight Committee Consultant Services Proposal: 2009"
- (3) Package number (i.e., 1 of \_\_, 2 of \_\_, etc)

Once the District receives the responses they will remain valid and may not be withdrawn for a period of six (6) months.

**V. Evaluation Process/Basis of Selection:**

Submitted RFP's will be reviewed and ranked by a selection panel. The basis of selection in no particular order will be:

- Experience with public entities;
- Staff Qualifications, Consultant Team;
- References;
- Quality Assurance;
- Location with local firms preferred;
- Quality of work plan
- Cost

The RFP should address these items succinctly and specifically within the appropriate sections as noted above.

Interviews may be scheduled at District's discretion.

In the event your firm is asked to attend an interview, it is mandatory that the proposed primary project contact and a principal of the firm with the authority to enter into binding contracts with the District attend the interview. Prior to any interviews, an interview format outline will be provided. Electrical power and room darkening will be available in the interview room.

**VI. Insurance**

Interested firms shall maintain limits no less than:

- a. General Liability: \$1,000,000.
- b. Automobile Liability: \$1,000,000

- c. Workers Compensation: the amount required by statute
- d. Employer's Liability: \$1,000,000 per accident for bodily injury or disease.
- e. Professional Liability: \$1,000,000

Selected firms shall furnish the District with original certificates and amendatory endorsements effecting coverage required by this clause. The endorsements should be on forms provided by the District or on other than the District's forms provided those endorsements conform to District's requirements. All certificates and endorsements are to be received and approved by the District before work commences. Firms must provide proof of payment of all required insurance policies for at least one year, as well as a true and correct copy of its current professional liability policy upon receipt of an executed Agreement from District prior to commencement of any work.

The District and its officers, board members and employees, as well as members of the ICOC must be listed as an additional insured for the General Liability and Automobile Liability policies and the selected firm must provide an original copy of the certificate along with the endorsement to the District.

The insurance shall be considered primary coverage and any other insurance shall be excess coverage thereof. Such insurance shall be provided by an admitted California insurance company with a current Best's Key Rating of "A-VII" or better. Firms shall be responsible for any and all losses, but shall not be limited to, those tendered to the insurance company. All insurance shall be provided at the sole cost and expense of the contracted consultant.

#### **VII. District Rights:**

The District reserves the right to accept or reject any and all submittals, or any portion or combination thereof, to contract services with whomever and in whatever manner the District decides, to abandon the services entirely, to award on the basis of the total submittal, and to waive any informality or non-substantive irregularity, as the District deems appropriate.

The Responder's submittal and any other supporting materials submitted to the District in response to this Request for Proposals will not be returned and will become the property of the District unless portions of the materials are designated as proprietary at the time of submittal, and are specifically requested to be returned. Neither this document, nor any submittals provided in response to the RFP, requires the District to negotiate or award an agreement with any responding firm or individual.

The District reserves the right to award a contract any time up to six months from the date of opening the submittals. The award of a contract is at the sole discretion of the District acting through the Board of Education.

The District is not responsible for late delivery. It is the responsibility of the responding firm to ensure that the responses are submitted on time to the proper location. Responses that are received by the District after the deadline are nonresponsive and shall not be considered.

All responses sent to the District prior to recommendation for Board award or actual award of contract under certain circumstances, are sent as confidential documents. No part of the responses will be made public or shown to any persons outside of the District and its screening and selection panels until after a recommendation for award has been made to the District's Board of Education, or until after actual award of contract under certain circumstances, at which time all documents will be public record.

Issuance of this RFP does not commit the District to award of a contract for services or to pay any costs incurred with the preparation of a response to the RFP. All Responders should note that the execution of any contract pursuant to this RFP is dependent upon successful negotiation of terms and fees and approval by the District's Board of Education.

Prior to contract execution, proof of all insurances at the levels specified in the specific contract will be required. Fingerprinting and clearance through the California Department of Justice of all personnel who will visit school sites is also required.

The District reserves the right to amend this RFP by means of addenda.

**VIII. Questions/Clarifications**

Questions or clarifications during the RFP preparation period should be e-mailed to Joanne Pilgrim at [jpilgrim@sandi.net](mailto:jpilgrim@sandi.net).

DRAFT FOR REVIEW & COMMENT ONLY