

Request for Proposals For General Contractor (Addition to Amphitheater)

This Request for Proposals (“RFP”) is Being Issued by:

Syracuse Arts Academy
North Elementary Campus Building
357 S. 1550 W.
Syracuse, UT 84075
Ph: 801-827-0540

Date of RFP Issue: December 11, 2023

Deadline to Submit Proposals: January 31, 2024 by 5:00 p.m.

I – KEY DATES

- A. Date of RFP Issue: December 11, 2023. The RFP will be posted on Syracuse Arts Academy’s website (<http://www.syracuseartsacademy.org/>) from December 11, 2023 through January 31, 2024.
- B. Deadline to Submit Proposals: January 31, 2024 by 5:00 p.m.
- C. Questions: Questions about this project or this RFP should be directed to the School’s Lead Director, Dale Pfister, in writing at dpfister@saacharter.org. All questions about this RFP must be submitted by January 24, 2024 at 5:00 p.m. Any questions submitted after this deadline may not be answered. By approximately January 25, 2024 at 5:00 p.m., the School will post on its website (<http://www.syracuseartsacademy.org/>) answers to all substantive questions submitted before the deadline. The names of offerors or potential offerors who submit questions as described above will not be identified.
- D. Opening of Proposals: There will not be a formal opening of proposals due to scheduling conflicts, but interested parties may (at any time after the proposal deadline) request the names of all offerors that submitted proposals and Syracuse Arts Academy will promptly provide that information after receiving the request.
- E. Anticipated Contract Award Date: February 8, 2024.
- F. Anticipated Contract Term: Approximately February 2024 to project completion.
- G. Commencement of Construction: As soon as reasonably possible.
- H. Completion of Construction: As soon as reasonably possible.

II – GENERAL INFORMATION

- A. Background of Syracuse Arts Academy. Syracuse Arts Academy (“SAA” or the “School”) is a Utah nonprofit 501(c)(3) corporation and public charter school located in Syracuse, Utah. SAA serves students at two different campuses, its Antelope Campus (which consists of a junior high building and an elementary building) and its North Elementary Campus (which consists of an elementary school building and an amphitheater behind the building) located in the northern part of Syracuse. SAA built its Antelope Campus elementary building in 2006, its Antelope Campus junior high building in 2009, and its North Campus elementary school and amphitheater in 2015 (though the interior of the amphitheater was finished several years later). The addition described in this RFP will be built onto the amphitheater.
- B. **Purpose of RFP. SAA would like to construct an approximately 800 square foot addition to the amphitheater at the North Campus Elementary Building. The addition will consist of two new storage rooms. The purpose of this RFP is to solicit proposals from general contractors to construct the addition in accordance with the construction plans available through the following link:**
https://netorg3968665-my.sharepoint.com/:f/g/personal/logan_silverpeakeng_com/EmS643rRwxIItz7XB8mpRtYBheASD6_FwhLYabRII8E0ag?e=ducl1yq
- C. Construction Materials. The construction materials used for the addition must match the materials used to construct the existing amphitheater.

- D. Change in Scope of Project. The School reserves the right to reduce or increase the scope of this project, or not do the project at all, if the School, in its sole discretion, determines that it would be prudent for them to do so.
- E. Award of Contract. The contract will be awarded to the offeror whose proposal is determined to be the most advantageous to SAA, taking into consideration all substantive evaluation criteria outlined in this RFP as well as cost. No other criteria will be used in the evaluation. Please note that the Utah Procurement Code requires that most cost information be evaluated independently from the substantive evaluation criteria. The final determination shall be in writing and shall be determined at the sole discretion of SAA's Board. To the extent permitted by law, SAA may reject any and all proposals and may waive any informality or technicality in any proposal received if SAA's Board determines it would serve the best interests of the School.
- F. Contract Documents. The successful offeror selected by SAA's Board pursuant to this RFP will be required to enter into a written guaranteed maximum price contract consistent with the acceptable services, terms, and conditions outlined in the successful proposal and the requirements set forth in this RFP.

III – PROPOSAL INFORMATION

- A. **Proposals must be submitted to SAA by email in compliance with Section V of this RFP. Proposals received by regular mail, hand delivery, telephone, fax, or any other unapproved form are not acceptable and may not be considered.**
- B. **The content of a proposal must address the requirements stated in Section V of this RFP.**
- C. The School's Evaluation Committee may, for the purpose of assuring full understanding of and responsiveness to the RFP's requirements, enter into discussions or conduct interviews with, or attend presentations by, offerors who submit proposals.
- D. Offerors acknowledge that the School's issuance of this RFP does not obligate the School to accept any of the proposals submitted in response to this RFP, nor does it guarantee that the School will in fact accept any of the said proposals. To the extent permitted by law, the School and its Board reserves the right to accept or reject any or all proposals and/or to waive any or all formalities in any proposal or in the proposal process deemed to be in the best interest of the School. No agreement exists on the part of the School and any offeror until a written contract is approved and executed by the School.
- E. This RFP does not obligate the School to pay for costs of any kind whatsoever that may be incurred by an offeror or any third parties in connection with a proposal. All submitted proposals, responses, and supporting documentation shall become property of the School. The School shall not be liable to any offeror, person, or entity for any losses, expenses, costs, claims or damages of any kind arising out of, by reason of, or attributable to, the offeror responding to the RFP.
- F. At any time during the evaluation process, SAA's evaluation committee may, with appropriate approval, request best and final offers, as provided for in Utah Code § 63G-6a-707.5, from responsible offerors who submit responsive proposals that meet any minimum qualifications, evaluation criteria, or score thresholds identified in this RFP.

IV – SERVICE REQUIREMENTS

Expectations for the School

- A. The School owns the North Campus Elementary building and amphitheater on which the new addition will be constructed. The School will allow the winning offeror to have adequate access to the building, amphitheater, and property to complete the work described in this RFP. In addition, School officials or representatives will be reasonably available to consult with and advise the winning offeror throughout the project.
- B. The School will pay for this project with existing funds.

Expectations for Offerors

- A. Offerors must hold current licensure to engage in the work described in this RFP.
- B. Offerors that utilize subcontractors must ensure the subcontractors have current licensure to engage in the work described in this RFP. Subcontractors must sign an approved lien release form and have adequate insurance before offerors disburse payments to them.
- C. Offerors must have adequate financing to fund their business and work obligations during the term of the contract.
- D. Offerors must have sufficient general liability and workers comp insurance as well as auto insurance on all vehicles used in their business.
- E. Offerors must have previously performed construction work for other public schools in Utah and completed projects similar in scope to the one described in this RFP.
- F. Offerors must have knowledge of and comply with any applicable construction reporting requirements for public schools in Utah.
- G. Offerors must comply with and follow instructions in this RFP.
- H. The winning offeror must act as a general contractor for the School on this project.
- I. The winning offeror must enter into a guaranteed maximum price written contract with the School within a reasonable deadline required by the School. In addition, the winning offeror must, upon request, agree to include a reasonable liquidated damages provision in the contract which requires an amount for each day the project goes beyond the scheduled completion date.
- J. The winning offeror must meet all applicable legal requirements of charter school or school construction in the State of Utah and will comply with all applicable building codes, statutes, and rules governing charter school or school construction.
- K. The winning offeror must obtain all necessary and appropriate approvals, permits, and authorizations to commence work at the School's property as indicated herein, including any and all approvals from Syracuse City.
- L. The winning offeror must, upon request, secure a payment and performance bond in connection with this project.

V – PROPOSAL REQUIREMENTS

- A. **Submission of Proposals.** Proposals must be emailed to the School’s Lead Director, Dale Pfister, at dpfister@saacharter.org by January 31, 2024 at 5:00 p.m. in PDF format as described in this paragraph. Proposals must be separated by cost and non-cost related information. All non-cost related information of a proposal (the information provided by an offeror in response to Section V(B)) must be contained in one PDF file titled with a phrase similar to “Construction Proposal: Non-Cost Related Information.” All cost-related information of a proposal (the information provided by an offeror in response to Section V(C)) must be contained in a different PDF file titled with a phrase similar to “Construction Proposal: Cost-Related Information.” No cost information may be submitted in the PDF that includes non-cost information. All cost and non-cost proposal information must be separate.
- B. **Content of Proposals – Non-Cost Related Information.** Offerors must include the following non-cost information in their proposals:
1. *Experience and Qualifications.* Provide information demonstrating that the offeror has the experience and qualifications necessary to perform the work described in this RFP. The information must include at least the following:
 - a. Summaries, examples, and/or lists of past (and current, if any) projects where offeror has performed construction work for district or charter schools in Utah, including projects similar to the project described in this RFP;
 - b. Offeror’s key personnel and their qualifications and experience; and
 - c. Copy of the offeror’s valid Utah general contractor license.
 2. *Management Plan.* Describe how the offeror will complete this project within a reasonable time frame, on budget, and in a safe manner. Part of this description must include a proposed project schedule, as well as a safety plan.
- C. **Content of Proposals – Cost Related Information.** Offerors must include the following cost information in their proposals:
1. *Pricing.* Provide the total anticipated guaranteed maximum price to be charged by the offeror to complete this project. Pricing must be reasonably itemized. Include in the itemized pricing the cost of a payment and performance bond covering the full value of the anticipated guaranteed maximum price to be charged by the offeror to complete this project (in the event a payment and performance bond is required).
- D. **Selection and Scoring.** Selection of a general contractor will be based on offerors’ responses to the proposal content requirements in relation to the Evaluation Criteria set forth in **Section VI**. The successful proposal will address each of the required content requirements and clearly demonstrate how the offeror will meet or exceed the School’s needs. The Evaluation Criteria set forth in **Section VI** contains a numerical score for each of the proposal content requirements and proposals will be ranked based on their score. The Evaluation Committee will first subjectively score the non-cost portion of each proposal based on offerors’ responses to the proposal content requirements contained in **Section V(B)**. The Evaluation Committee will then objectively score the cost portion of each proposal by using the following formula: Total Cost Points Possible x (Lowest Proposed Price/Proposal Price Being Evaluated). The offeror with the lowest proposed price (which proposed price is provided by offerors in response to the proposal content requirement in **Section V(C)**) meeting the requirements of the RFP will receive 100% of the cost points (30) and all other offerors will receive a portion of the cost points based on the formula above. **Note:** Proposals that are not compliant with **Section V** may not be considered.

- E. Submission of Protected Information. Protection of disclosure of information submitted by an offeror in response to this RFP is governed by Utah’s Government Records Access and management Act in Utah Code § 63G-2-101 *et seq.* and Utah Administrative Code Rules R33-7-105 and R33-7-106. An offeror that desires to request protected status of any information it submits to the School in response to this RFP must specifically identify the information that it desires to protect and the reasons that the information should be afforded protected status under the law. In making this request, the offeror shall comply with the requirements in Utah Code § 63G-2-305, Utah Code § 63G-2-309, and Utah Administrative Code Rule R33-7-105. In turn, the School will comply with Utah Code § 63G-2-309 and Utah Administrative Code Rule R33-7-106 with respect to disclosing such information. Submission of protected information in response to this RFP shall be deemed an acknowledgment and consent by the offeror that the offeror agrees with this paragraph and will indemnify, defend, and hold harmless the School, its members, directors, officers, staff, and agents from any and all liability relating to the proper disclosure of information provided by the offeror in response to this RFP, even if the offeror requested protected or other confidential status for the information.
- F. Submission of Proposals with Protected Business Confidential Information. In accordance with Utah Administrative Code Rule R33-7-107, if an offeror submits a proposal that contains information claimed to be business confidential or protected information, the offeror must submit two separate proposals:
1. One redacted version for public release, with all protected business confidential information either blacked-out or removed, and marked as “Redacted Version;” and
 2. One non-redacted version for evaluation purposes clearly marked as “Protected Business Confidential.”

Note: Proposal pricing may not be classified as business confidential and will be considered public information. In addition, an entire proposal may not be designated as “protected,” “confidential,” or “proprietary” and shall be considered non-responsive unless the offeror removes the designation.

VI – EVALUATION CRITERIA

Evaluation Criteria Unrelated to Cost

- A. Offeror’s Experience and Qualifications (40 points possible). This criterion is based on the information provided in response to the proposal content requirements contained in **Section V(B)(1)**.
- B. Offeror’s Management Plan (30 points possible). This criterion is based on the information provided in response to the proposal content requirements contained in **Section V(B)(2)**.

Evaluation Criteria Related to Cost*

- C. Pricing (30 points possible). This criterion is based on the pricing proposal provided in response to the proposal content requirements in **Section V(C)(1)**.

Total points possible based on Evaluation Criteria: 100 points

* **NOTE:** Cost will be scored independently from the substantive evaluation factors.