Ladies and Gentlemen:

The Savannah-Chatham County Public School System ("SCCPSS") would like to take this opportunity to announce that it is requesting proposals for ESPLOST - Construction Management Agent (Annual Contract), RFP C18-32.

Enclosed is a Request for Proposals ("RFP") packet, which provides instructions for the submission of proposals and identifies the goods and/or services requested by the SCCPSS. All proposals should be delivered to the SCCPSS Purchasing Department, 208 Bull Street, Room 213, Savannah, Georgia, 31401.

Proposals will be accepted prior to June 21, 2018 at 11:00 a.m. at which time they will be publicly opened and a list of Offerors registered. Time is of the essence, and any proposal received after this deadline for submission, whether by mail or otherwise, will not be accepted. Offerors are responsible for ensuring that their proposals are timely received and stamped by Purchasing Department personnel. It shall not be sufficient to show that the proposal was mailed in time to be received before the scheduled deadline.

A pre-proposal conference will be held on Tuesday, June 5, 2018, at the District Central Office, which is located at 208 Bull Street, Savannah, Georgia 31401, in Room 103 at 9:00 a.m.

All proposals must be submitted in a sealed envelope with the proposal name, number, and closing date and time clearly marked on the outside envelope. No additional information should be written on the outside of the envelope. If proposal materials require additional envelopes, then all packages must be combined together and marked as described above. A copy of the proposal register will be posted on the District's website within seventy-two (72) hours after the closing date.

Please include with your proposal all documents requested by this solicitation, including, but not limited to, a copy of your firm's current business license and certificate of insurance. Failure to include all of the information and/or documents requested by this solicitation could result in the offeror's proposal not being considered by the SCCPSS.

If you have any questions concerning this solicitation, please submit them in writing to Sabrina L. Scales, Purchasing Director at the address above or fax them to (912) 201-7648. Please note that all communications relating to this solicitation must be directed to the Purchasing Department pursuant to SCCPSS policy.

If an offeror is unable to submit a proposal at this time but would like to remain on the list of potential vendors for the SCCPSS, please complete and return only the "No Proposal Statement Form" included with this RFP packet and clearly mark the outside of the envelope with the words "No Response."

Thank you for your interest in providing goods and services to the SCCPSS.

Sincerely,

[Signature]

Sabrina L. Scales, CPPB
Purchasing Director

Mission - To ignite a passion for learning and teaching at high levels.
Vision - From school to the world: All students prepared for productive futures
"AN EQUAL OPPORTUNITY EMPLOYER"
REQUEST FOR PROPOSALS (RFP): C18-32
ESPLOST – Construction Management Agent (Annual Contract)

I. INTRODUCTION

The Board of Public Education for the City of Savannah and the County of Chatham (the “District”), the body corporate responsible for public education in Chatham County, which is commonly known as the Savannah-Chatham County Public School System (“SCCPSS”), seeks sealed proposals for as specified in this Request for Proposals (“RFP”).

It is worth noting at the outset that the competitive sealed proposal (RFP) process differs from competitive sealed bidding in two important ways:

1) It permits discussions between the District and competing Offerors and allows for changes in Offerors’ proposals including price; and
2) It allows comparative judgmental evaluations to be made on various criteria (in addition to cost) for award of the contract.

Vendors who wish to be awarded a contract by the District to provide the goods and/or services requested by this RFP shall be referred to herein as the “Offeror(s).” To be considered for an award of a contract under this RFP, Offerors should carefully read this solicitation document, which is called Request for Proposals (RFP) #18-32, and all of the forms, product specifications, service requirements, contract documents, or other materials that may attached hereto or referenced herein. This RFP and the associated documents identify the goods/and or services requested by the District, contain the instructions for preparing and submitting proposals, and outline the process by which the District will award a contract for those goods and/or services, if it decides to award a contract at all.

II. GENERAL TERMS AND CONDITIONS FOR THIS RFP

A. A “Cone of Silence” Applies to this RFP.

A “Cone of Silence” is imposed upon this RFP after advertising, and terminates at the time the District awards a contract. Except as specifically set forth below, the Cone of Silence prohibits any communications in any form (whether written, oral, or electronic) by, or on behalf of, a prospective Offeror for this solicitation, including any persons affiliated with or in any way related to a prospective Offeror, with any District employee, any member of the elected Board of Education that serves as the District’s governing body, the Superintendent or her staff, and any other persons involved in evaluating the bid, such as program managers or members of any selection committee. The Cone of Silence is intended to prohibit lobbying for, or against, a particular Offeror or Offerors and to prevent prospective Offerors from circumventing the process for selection set forth in this RFP.

The Cone of Silence does not apply to oral communications with the Director of Purchasing, or the Director of Purchasing’s designees, at pre-proposal conferences, site visits (as applicable), presentations before selection committees, contract negotiations with offerors selected for award, or at other times expressly allowed by this solicitation. Written communications expressly authorized by this solicitation, such as (1) the submission of the proposal itself, (2) requests for interpretation, requests for material substitutions, protests, or similar inquiries to the purchasing department, (3) documents circulated at oral presentations before selection committees, or (4) documents circulated in connection with contract negotiations with the Offeror(s) selected for award are also permitted in communication with the Director of Purchasing or the Director of Purchasing’s designees. The Cone of Silence does not apply to presentations allowed by Board policy or to the Board of Education at a duly called public meeting.

[RFP Continues on Next Page]
In addition to any other penalties provided by law, violation of the Cone of Silence by any Offeror may result in the rejection of the Offeror’s response and disqualify the Offeror from being awarded any contract as a result of this solicitation. Any person having personal knowledge of a violation of these provisions shall immediately report such violations to the District’s Purchasing Department.

B. The Goods and/or Services Requested by the District.

The goods and/or services requested by the District in this RFP are described in more detail in “Attachment A- Goods and/or Services Requested, Format of Proposals, Evaluation Criteria for Award, and Contract Requirements,” which is incorporated into this RFP by this reference.

C. The Advertising Dates for this RFP.

This RFP is being advertised on the Purchasing Department page of the District website, http://internet.savannah.chatham.k12.ga.us/, and in the Savannah Morning News, the newspaper for legal notices in Chatham County, Georgia.

The advertising date(s) for this Request for Proposals (RFP) in the Savannah Morning News are as follows:


D. Pre-Proposal Conferences Held by the Purchasing Department.

A pre-proposal conference will be held on Tuesday, June 5, 2018, at the District Central Office, which is located at 208 Bull Street, Savannah, Georgia 31401, in Room 103 at 9:00 a.m.

Offerors should be advised that while attendance at the pre-proposal conference for this RFP is not required, attendance may be required at an interview scheduled after the submission of proposals for this RFP.

Offerors should also be advised that other District RFPs may require attendance at a pre-proposal conference as a condition to being deemed a “responsive” and “responsible” Offeror eligible for a contract award.

E. The Deadline for Submitting Proposals in Response to this RFP.

The deadline for submitting proposals in response to this RFP, unless extended by the District, shall be as follows:

Thursday, June 21, 2018 at 11:00 a.m. Time is of the essence, and any proposal received after this deadline for submission, whether by mail or otherwise, will not be accepted. Offerors are responsible for ensuring that their proposals are timely received and stamped by Purchasing Department personnel. It shall not be sufficient to show that the proposal was mailed in time to be received before the scheduled deadline.

This deadline may be extended for all prospective Offerors within the discretion of the Director of the Purchasing Department or her designee for any reason. A non-exclusive list of reasons why the deadline may be extended include: the issuance of addenda to this RFP or the associated specifications, a total absence of proposals, District closure due to inclement weather, etc. The Director of the Purchasing Department will either extend the deadline for all Offerors or not all.

F. Delivery and Submission of Proposals.

Offerors shall timely deliver proposals in person, by mail, or by a commercial delivery service, such as Federal Express or UPS, to the following address:
G. Receipt and Registration of Proposals.

Proposals and modifications shall be time-stamped by the Purchasing Department upon receipt. After the deadline for submissions of proposals has past, proposals shall be registered publicly, and then subsequently opened in the presence of two or more Purchasing Department officials. Proposals and modifications shall be shown only to District personnel or consultants having a legitimate interest. Only after award of the contract shall proposals be open to public inspection.

H. Timely-filed, Signed Proposals Considered an Offer.

An Offeror's timely-filed, signed proposal shall be considered an offer on the part of the Offeror which may become a binding contract on the Offeror if accepted by the District at the conclusion of the proposal evaluation process. By submitting a proposal in response to this RFP, Offeror agrees that proposal will remain open for acceptance by the District for at least 120 days without any changes in terms or pricing.

In event that the Offeror refuses to perform its promises made in its offer after acceptance by the District, the District may take such action as it deems appropriate to redress the Offeror's failure to perform, including legal action for damages or equitable relief, including specific performance, for the Offeror's lack of required performance.

I. Non-Response by Prospective Offerors

If an Offeror does not wish to submit a proposal in response to this RFP but would like to remain on the list of potential vendors for the District, please complete and return only the "No Proposal Statement Form" included with this RFP packet and clearly mark the outside of the envelope with the words "No Response."

J. Form and Formatting of Proposals.

The form and formatting requirements for proposals requested by this RFP are described in "Attachment A- Goods and/or Services Requested, Format of Proposals, Evaluation Criteria for Award, and Contract Requirements."

K. Bid Bonds.

A bid bond is not required with Offeror's proposal for this RFP.

If a bid bond is required by this RFP, the requirement are set forth in more detail in "Attachment A- Goods and/or Services Requested, Format of Proposals, Evaluation Criteria for Award, and Contract Requirements," which is incorporated by this reference.

[RFP Continues on Next Page]
L. Performance Bonds.

A performance bond is not required in connection with this RFP.

If a performance bond is required by this RFP, the requirements of any such Performance Bond will be set forth in "Attachment A- Goods and/or Services Requested, Format of Proposals, Evaluation Criteria for Award, and Contract Requirements," which is incorporated by this reference.

M. Offeror’s Essential Credentials and Business Structure to be considered a “Responsible Offeror.”

To even be considered for a possible award of a contract for the goods and/or services requested by this RFP, an Offeror must be deemed a “responsible” Offeror by the District’s Purchasing Department.

To be considered a “responsible” Offeror for the purpose of this RFP, an Offeror must be licensed and have the capacity to provide the goods and/or perform the services requested by this RFP and must be able to meet the minimum licensing, bonding, insurance, and contractual requirements of this RFP. The District reserves the right to request an Offeror to provide additional information or documentation to demonstrate that it is a “responsible” Offeror. Failure to provide the requested additional information, in itself, will be sufficient grounds for the District to declare the Offeror to be not “responsible” for the purposes of this RFP.

To be considered a “responsible” Offeror, the Offeror's majority (51%) ownership, whether public or private, must be held by citizens or lawful permanent residents of the United States.

To be considered a “responsible” Offeror, the Offeror must attach to its proposal a copy of any and all business licenses needed for the Offeror to provide the requested goods and/or services, including any local business licenses needed to provide the good and/or services requested by this RFP in Chatham County.

If the Offeror is a corporation, a copy of a current Annual Corporate Registration issued by the State in which the Offeror is incorporated is required to demonstrate that the Offeror is a “responsible” offeror.

While any lawful form of business may be a “responsible” Offeror, if the Offeror is a partnership or joint venture, a copy of the contractual agreement between the partners or the participants in the joint venture must be provided with the Offeror’s proposal. The partnership or joint venture agreement must be adequate to its purpose of establishing a safe and well-structured good faith relationship between the participants, and must comply with all applicable laws, including Antitrust Laws. The agreement must include adequate provisions to address unforeseen events such as the demise of any one of the partners or joint venture companies, and the like. If the Offeror is a partnership or joint venture between two existing business entities, including, but not limited to, a corporation or LLC, then all partner should be routinely and on a daily basis in the business of providing services which are closely similar or identical to those Services solicited by this RFP. If the District determines that the form of the Offeror’s business, including a partnership or joint venture, was not created for a legitimate business purpose, could impair the Offeror’s performance in response to this solicitation, poses a liability to the District, or is otherwise not in the best interest of the District, then the District reserves the right to disqualify the Offeror and determine that it is “not responsible”.

If the Offeror is a joint venture, information and documentation must be provided to establish whether the joint venture is a business entity created for the purpose of functioning as the joint venture, or whether the joint venture is operated through the existing legal status of the venture partners. All information regarding the legal structure and reporting of income for tax purposes of the joint venture must be provided.

It is the District’s intent to only enter into a contract as a result of this RFP with a single Offeror. The District reserves the right to reject as “non-responsive” or “not responsible” any proposal that requests the District to enter into contracts with multiple Offerors.
N. Insurance, Warranty, Indemnity and Other Requirements for “Responsible” Offerors.

To be considered a “responsible” Offeror, all Offerors may be required to meet minimum insurance, warranty, indemnity and other requirements set forth in more detail in “Attachment A- Goods and/or Services Requested, Format of Proposals, Evaluation Criteria for Award, and Contract Requirements,” which is incorporated by this reference.


To be considered a “responsible” Offeror, all Offerors are required to comply with O.C.G.A. § 13-10-91, a Georgia statute that prohibits a public employer such as the District from entering into any contract with a contractor who fails to participate in the federal work authorization program E-Verify or fails to demonstrate that it is not required to participate in the E-Verify program. In order to be deemed a “responsible” Offeror eligible for this RFP, the Offeror must provide the affidavit(s) or other documentation required O.C.G.A. § 13-10-91. While the District provides sample O.C.G.A. § 13-10-91 affidavit forms in this RFP, Offerors are solely responsible for familiarizing themselves with their obligations under O.C.G.A. § 13-10-91 and making sure that they provide the District with the required documentation.

P. Local and/or Minority/Women Business Enterprise (LMWBE) Policies.

It is the policy of the District to maximize the utilization of qualified local, minority, and women owned business enterprises (“LMWBEs”) who provide professional services or who serve as prime contractors, subcontractors or suppliers as a part of the District’s facilities construction, maintenance and repair programs. Prime contractors on district construction projects shall make and document good faith efforts to maximize the utilization of qualified LMWBEs as subcontractors and suppliers and provide proof of such efforts and contracts with and payments made to LMWBEs upon request. The District also promotes capacity building within the local construction community and encourages the use of partnerships, teaming and mentorships to provide LMWBEs with relevant and necessary experiences to grow their business.

For the purposes of this policy, good faith efforts may include, but not be limited to, the following:

- Attend pre-solicitation meetings to inform LMWBEs of subcontracting opportunities.
- Advertise in general circulation media, trade association publications, and minority and women business enterprise media to provide notice of subcontracting opportunities.
- Communicate with the City of Savannah’s Office of Economic Development to identify available and qualified LMWBE firms.
- Review the District’s list of vendors indicating an interest in providing services to the District.
- Select portions of work for subcontracting in areas with established availability of LMWBE subcontractors.
- Solicit and negotiate with available and qualified LMWBEs for specific subcontracting opportunities.
- Assign substantive work to LMWBEs or LMWBE teaming partners.

For the purposes of this policy, a local business enterprise is defined as (1) having established a regular, physical place of business other than a job site office with at least one employee within the geographical boundaries of the Savannah, Georgia Metropolitan Statistical Area (MSA) prior to the closing date on the solicitation (a post office box address will not satisfy this requirement); (2) having a current Business Tax Certificate and other licenses, certificates, or permits required by law to operate a business in that location; and (3) performing a commercially useful function within the local office. The District reserves the right to inspect Offeror’s offices for the purposes of assessing whether the office is legitimate and meets these requirements. An Offeror may be deemed not to be a local business for the purposes of this solicitation if the District, in its sole discretion, is not satisfied that the office is legitimate and meets these requirements.

For the purposes of this policy, a Minority Business Enterprise is an independent, continuing venture that is at least 51% owned by a minority person or persons that meets the criteria for a Disadvantaged
Business. A Disadvantaged Business is a small business which is owned, controlled and managed on a daily basis by a majority or persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantage, including, but not limited to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities.

This includes:

1. African American: A person with origins in any of the Black racial groups of Africa;
2. Hispanic American: A person with origins from Mexico, South America, Central America or the Caribbean Basin, regardless of race; and
3. Asian American: A person with origins from the Indian subcontinent, countries of the Asian Pacific region, and surrounding countries; and

For the purposes of this policy, a Women Business Enterprise is an independent, continuing venture that is at least 51% owned by one or more women. To qualify as an LMWBE, the owner must be a citizen or lawful permanent resident of the United States, be involved in daily business operations, and provide a commercially useful function. The ownership interest must be real and continuous and not created solely to meet the local/minority/women business or local/minority/women contractor good faith efforts.

The District shall, through their program management and construction management providers, engage in efforts to communicate opportunities afforded by the District’s facilities construction, maintenance and repair programs to LMWBEs, including but not limited to:

- Communicate opportunities associated with District facilities construction, maintenance and repair programs to the citizens of Chatham County.
- Work with other local governments and relevant community organizations to provide technical assistance and guidance to LMWBEs;
- Develop strategies to assist prime contractors in maximizing their utilization of LMWBEs;
- Develop and provide informational sessions to educate LMWBEs in the requirements of the District’s procurement process;
- Provide notices as outlined above and maintain a list of vendors who have provided or are interested in providing services to the District, as outlined above.

The District may, from time to time, audit vendor contracts with and payments to LWMBE contractors and subcontractors and may require that proof of such contracts and payments be provided to the District.

All Offerors must read, complete and return all of the LMWBE forms attached to this RFP, with the exception of the LMWBE monthly report which is produced to illustrate the monthly report that will be required to be filed by any Offeror(s) that may ultimately be awarded a contract by the District.

Q. The District's Reservation of Rights to Cancel this RFP, to Amend the RFP Process, to Disqualify Offerors, and to Waive Irregularities and Technicalities.

The District, in the discretion of the Purchasing Director, the Director of Budgeting Services, the Superintendent, or the District’s governing body, the elected School Board, may cancel this RFP at any time before the District awards a contract to any Offeror(s). The District may decline to purchase the goods and/or services solicited in this RFP at all or it may decide to purchase some or all of the same goods and/or services through a similar or different procurement process.

The Board, in the discretion of the Purchasing Director, the Chief Financial Officer, the Superintendent, or the District's governing body, the elected School Board, reserves the right to amend this RFP and all attachments in any way and at any time (without cancelling it in its entirety) before the deadline for the submission of proposals. Any addenda amending this RFP will be made available to all Offerors on the District's website. As stated above, the submission deadline will be extended at least seventy-two (72) hours if any addenda is issued less than seventy-
two (72) hours before the submission deadline.

The District further reserves the right to amend this RFP in any way after the deadline for the submission of proposals (without cancelling the RFP in its entirety), except the District will not amend the original proposal formatting or submission requirements, the criteria for determining whether the Offeror is a “responsive” or “responsible” Offeror, or any of the initial evaluation criteria used for determining whether the Offeror is “reasonably susceptible of being selected for award” or “short-listed,” phrases commonly used by the Purchasing Department to indicate that an Offeror performed well enough on the initial evaluation criteria to be eligible to participate in interviews or subsequent rounds of evaluations. A non-exclusive example of such an amendment to an RFP may be changes to second round evaluation criteria to help differentiate those short-listed Offerors determined to be “reasonably susceptible of being selected for award.”

The District further reserves the right to redo any stage of this RFP (without cancelling it in its entirety) if the District, in the discretion of the Purchasing Director, the Chief Financial Officer, the Superintendent, or the District’s governing body, the elected School Board, has concerns that a stage of the RFP should be redone to eliminate any question of whether it was conducted properly.

The District reserves the right to reject any and all proposals submitted in response to this RFP, and to waive any irregularities or technicalities in proposals received whenever such rejection or waiver is in the best interest of the District.

The District has the right to disqualify a proposal of any Offeror on the basis that the proposal is “nonresponsive” or the Offeror is “not responsible.”

A proposal shall be deemed “nonresponsive” if it fails to include all of the information or documents required by this RFP.

An Offeror shall be deemed “not responsible” if the District determines that the Offeror fails to meet the minimal requirements to be eligible for consideration, including but not limited to, a lack of capacity to do the work or provide the services requested, a lack of proper insurance, the lack of a valid business license, failure to satisfy e-Verify requirements, negative past performance ratings on District projects, being disqualified from working for the District because of poor performance on a prior project, or some other reason that gives the District reason to question the responsibility or reliability of the Offeror. The District reserves the right to request an Offeror to provide additional information in response to any concern that an Offeror may not be a “responsible” Offeror. Failure to provide the requested additional information, in itself, will be sufficient grounds for the District to declare the Offeror to be not “responsible” for the purposes of this RFP.

Offerors represent that, to the best of their knowledge, all information that they submit to the District in response to this RFP, whether through a proposal or otherwise, is true and correct. If the District determines that information submitted by the Offeror is incorrect, the District may disqualify a proposal as “non-responsive.” If the District determines that an Offeror intentionally misrepresented information submitted in response to the RFP, the District may disqualify the Offeror on the basis that it is “not responsible” for this solicitation and in future solicitations.

R. Evaluation and Award of Contract.

A contract with the District, if one is awarded at all, for the goods and/or services requested in this RFP will be awarded by means of the evaluation process described in in “Attachment A - Goods and/or Services Requested, Format of Proposals, Evaluation Criteria for Award, and Contract Requirements.”

Depending on the nature of the goods and/or services the District may provide a sample of the contract it is willing to execute with a successful Offeror. If such a sample contract is attached, then the Offeror is deemed to have agreed that all of the terms contained therein will be acceptable by submitting a proposal. If the Offeror wants to propose materially different terms, then the Offeror should file a request for Material Substitution using the procedure outlined above before submitting its proposal.

For other goods and/or services, the District may ask Offerors to provide a proposed contract. The terms
of that proposed contract will be evaluated as part of the selection process and the District may ask short-listed Offerors determined to be reasonably susceptible for award to negotiate specific terms. The specifications for the goods and/or services requested by this RFP may also include specific contract terms outlined in "Attachment A - Goods and/or Services Requested, Format of Proposals, Evaluation Criteria for Award, and Contract Requirements" that should be included in any contract proposed by an Offeror.

By way of a non-exclusive example, the specifications may provide that the District will not agree to any contract provision requiring the District to indemnify any Offeror as such provisions are prohibited by District policy and state law. Conversely, there may be times when the District requires an Offeror to maintain certain levels of insurance, to honor certain warranties, or to provide indemnities to the District.

S. Consideration of Offeror Past Performance.

Successful Offerors should be advised that they will be evaluated by the District over the duration of the contract period. Performance will be documented. Poor performance may result in the Offeror being disqualified on future RFPs or may result in the deduction of points from the Offeror on a future RFP. Good performance may result in the Offeror receiving additional points on future RFPs.

T. Public Information.

It is the policy of the District that at the conclusion of the selection process, the contents of all proposals will be placed in the public domain and be open to inspection by interested parties. Trade secrets or proprietary information that are recognized as such and are protected by law may be withheld, if clearly identified as such in the proposal. Failure to list all proprietary sections of the submitted proposal shall relieve the District from any responsibility should such information be viewed by the public, a competitor, or be in any way accidentally released.

If this RFP is cancelled before an award is made, proposals will not be made available for public inspection to prevent Offerors from having an unfair advantage in future solicitations for the same goods or services.

U. Offeror Questions, Requests for Interpretations, and Issuance of Addenda.

If an Offeror should have any questions relating to an RFP, including but not limited to the interpretation of RFP language, the specifications for the goods and/or services requested, the terms of sample contract provisions attached to this solicitation, the preparation or submission of proposals, or the evaluation and contract award process outlined in this RFP, the offeror may deliver written requests for interpretation to the following address by U.S. Mail, by a commercial delivery service, such as Federal Express or UPS, by fax, or email to the Purchasing Department's designated email address below:

Savannah-Chatham County Public School System  
Attn.: Sabrina L. Scales, Purchasing Director  
208 Bull Street, Room 213  
Savannah, GA 31401  
Fax No.: (912) 201-7648  
Email: purchasing@sccpss.com

All answers to questions and any interpretations of documents shall be made by addenda to the RFP and shall be made available to all Offerors on the District's website. While the District will also make a good faith effort to mail or fax any addenda to all Offerors who attended pre-proposal conferences, submitted requests for interpretations to the District, or otherwise communicated an interest to receive notice of addenda, the District's failure to provide an Offeror with individualized notice of an addenda will not provide an Offeror with grounds to protest the implementation of this RFP. Offerors are ultimately responsible for themselves for keeping track of addenda issued by the District before the deadline for submitting proposals in response to this RFP.
All requests for interpretation must be submitted to the Purchasing Department on or before the close of business, 5:00 P.M. on Monday, June 11, 2018. The District shall not be required to answer any questions about this RFP submitted after this date.

The Purchasing Department will extend the deadline for submitting proposals for all Offerors by at least seventy-two (72) hours if it issues any addenda within seventy-two (72) hours before the scheduled proposal submission deadline.

The Purchasing Director, or her designee, in her discretion, may extend the deadline for submitting requests for interpretation for all Offerors if the deadline for submitting proposals is also extended.

V. Requests for Material Substitution of Products, Services, or Contract Terms.

The goods and/or services and contract terms requested by the District in this RFP are described in more detail in “Attachment A- Goods and/or Services Requested, Format of Proposals, Evaluation Criteria for Award, and Contract Requirements.” which is incorporated into this RFP by this reference.

When reference is made in the specifications as to a particular manufacturer, type of process, brand name, or model number, such references are usually, but not always, made to designate minimum acceptable levels of quality and do not indicate a preference. In some instances, a particular manufacturer, type of process, or brand name is required.

In the event an Offeror would like to propose another manufacturer, process, brand name, model number, etc. other than those stated in the specifications for this RFP, the offeror must provide complete technical information, specifications, manufacturer’s name, model number and a complete list of deviations from stated specifications. The burden of proof for documenting that the proposed substitute is equal to the goods or services identified in the specifications rests with the Offeror. All determinations of the acceptability of the proposed substitute goods or services shall rest with the District staff and their decision shall be final.

Proposals on equipment must be on standard, new equipment of the latest model and in current production, unless otherwise specified. Used, reconditioned or refurbished equipment is not acceptable unless otherwise specified.

All regularly manufactured stock electrical items must bear the label of the Underwriters Laboratories, Inc.

Any obvious error or omission in specifications shall not inure to the benefit of the Offeror but shall put the Offeror on notice to inquire of or identify the same from the District.

If the Offeror wishes to propose materially different terms than those requested by the District in Attachment “A” or in any Sample Contract, then Offeror should request to propose different Contract terms by identifying the provisions it wishes to change or wishes to add.

All requests for the material substitution of good and services and the change of contract terms shall be submitted to the Purchasing Department to the following address by U.S. Mail, by a commercial delivery service, such as Federal Express or UPS, fax, or by email to the Purchasing Department’s designated email address below:

Savannah-Chatham County Public School System  
Attn.: Sabrina L. Scales, Purchasing Director  
208 Bull Street, Room 213  
Savannah, GA 31401  
Fax No.: (912) 201-7648  
Email: purchasing@sccpss.com
All answers to requests for material substitution and requests for changes of contract terms shall be made by addenda to the RFP and shall be made available to all Offerors on the District’s website. While the District will also make a good faith effort to mail or fax any addenda to all Offerors who attended pre-proposal conferences, submitted requests for interpretations to the District, or otherwise communicated an interest to receive notice of addenda, the District’s failure to provide an Offeror with individualized notice of an addenda will not provide an Offeror with grounds to protest the implementation of this RFP. Offerors are ultimately responsible themselves for keeping track of addenda issued by the District before the deadline for submitting proposals in response to this RFP.

All requests for material substitution must be submitted to the Purchasing Department on or before the close of business, 5:00 P.M. on Monday, June 11, 2018. The District shall not be required to answer any questions about this RFP submitted after this date.

The Purchasing Department will extend the deadline for submitting proposals for all Offerors by at least seventy-two (72) hours if it issues any addenda within seventy-two (72) hours before the scheduled proposal submission deadline.

The Purchasing Director, or her designee, in her discretion, may extend the deadline for submitting requests for material substitution for all Offerors if the deadline for submitting proposals is also extended.

W. Protests

Any actual Offeror or bona fide prospective Offeror who is aggrieved in connection with this RFP may protest to the Purchasing Director. By submitting a Proposal in response to this RFP without filing a protest observing the deadlines set forth below, the Offeror waives any objection to the content of this RFP (including any attachment or addenda) issued prior to as well as any objection to any procedure outlined therein. Protests filed after the deadline for submissions shall only concern the implementation of the RFP as applied to the Offeror or addenda issued after the submission date.

Any protest to the content of this RFP (including any attachment or addenda) as well as any objection to any procedure or evaluation criteria outlined therein shall be filed no later than five (5) business days prior to the deadline for submissions of proposals, unless the objection concerns an addenda issued fewer than five (5) business days prior to the deadline for submissions of proposals, in which case, an objection may be filed to that addenda only at any time before the submission deadline.

Any protest filed after the submission deadline shall be submitted within five business (5) days after the action by the District on which the grievance is based, but in no case later than five business (5) days after the date of the District’s notice of intent to award a contract for the provision of goods and/or services requested in his RFP, which will be transmitted by fax to all Offerors.

The District shall not intentionally withhold information that is stated in this RFP to be forthcoming at certain intervals, but failure of the District to notify an Offeror who might be aggrieved by the content of such notification shall not give rise to any claim or rights resulting from said failure. Only formal protests will be considered, and in order for a protest to be considered as formal, it must be presented in written form, and must contain a minimum of the following:

- A specific identification of the statutory or regulatory provision(s) that the District’s purchasing staff member or department is alleged to have violated,
- A specific description of each act alleged to have violated the statutory or regulatory provision(s) identified above,
- A precise statement of the relevant facts that include timelines and all involved parties, and
- An identification of the issue(s) that needs to be resolved that support the protest.

The letter of protest shall be taken under consideration by the Chief Financial Officer and/or the Superintendent, who shall respond to the protesting Offeror within ten (10) business days of receipt of the letter of protest. The initial written response may explain that the Chief Financial Officer and/or the Superintendent need additional
time to review the Protest. In any event, a final decision will be issued on the Protest by the Chief Financial Officer and/or the Superintendent before the execution of a final contract with the successful Offeror. This written decision shall be final and conclusive.

X. Offerors Not Entitled to Reimbursement for their Costs Associated with Submitting Proposals.

The District recognizes that participating in this RFP process, or any government procurement process, can be time consuming and expensive for Offerors. In participating in part of this process, Offerors acknowledge that their costs in participating in this process are the costs of attempting to do business with the District.

All Offerors or potential Offerors, including unsuccessful Offerors or Offerors or potential offerors who file protests, agree that the District shall not be responsible for reimbursing the Offeror for any costs they may incur in connection with this RFP, including staff time, printing costs, attorneys' fees, or expenses of litigation.

Y. Gratuity Prohibition.

No Offeror shall offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the District for the purpose of influencing consideration of this solicitation.

Z. Certification of Independent Submission of Proposals.

By submitting a proposal in response to this RFP, the Offeror must certify that:

1. The information in this Proposal has been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition with any other Offeror or with any competitor;

2. The information in this Proposal has not been knowingly disclosed by the Offeror and will not knowingly be disclosed by the Offeror prior to the District's final determination regarding this RFP, directly or indirectly to any other Offeror or to any competitor;

3. No attempt has been made or will be made by the Offeror to induce any other person or firm to submit or not to submit a Proposal for the purpose of restricting competition; and,

4. In the event the Offeror is a partnership or joint venture, each party thereto certifies the above.
III. RFP ATTACHMENTS, SPECIFICATIONS, SAMPLE CONTRACTS, AND FORMS

The following attachments, specifications, sample contracts and forms are part of this RFP and are herein incorporated by this reference.


B. Attachment B: Forms to be submitted with this RFP.

1. Solicitation Form 1: Proposal Submission Checklist
   (to be included on the front of any proposal)

2. Solicitation Form 2: Proposal Certification Form
   (to be included behind the checklist and before the Offeror’s proposal)

To be included following the Offeror’s Proposal:

3. Solicitation Form 3: Offerors References (to be included following the Offeror’s Proposal)


5. Solicitation Form 5: Subcontractor Affidavit Under O.C.G.A. § 13-10-91
   (only needed if subcontractors will be used)

   (only needed if sub-subcontractors will be used)

7. Solicitation Form 7: Disclosure of Responsibility Statement

8. Solicitation Form 8: Proposed Schedule of LMWBE Participation

9. Solicitation Form 9: Documentation of Good Faith Efforts to Involve LMWBE

10. Solicitation Form 10: Joint-Venture Disclosure Statement
    (only need if a joint venture used)

    (included for Offeror’s reference, not needed to submit proposal)

12. Solicitation Form 12: Form for Sealed Fee Proposal
    (submit in a separate sealed envelope labeled “Fee Proposal”)

13. Solicitation Form 13: No Proposal Statement Form

C. Performance Evaluation Criteria. For informational purposes, the District is providing a copy of the Contractor Performance Evaluation System that the District anticipates using to evaluate the successful Offeror’s performance following award of any contract as a result of this solicitation. The District reserves the right to use different or additional evaluation criteria, but has included this information so that Offerors will be informed as to how the District currently plans to evaluate contractor performance. The result of this or a similar evaluation system may be considered (positively or negatively) in connection with the Offeror’s submissions on future District solicitations.
Attachment A to RFP #C18-32
ESPLOST - Construction Management Agent Services (Annual Contract)

Goods and/or Services Requested, Format of Proposals, Evaluation Criteria for Award, and Contract Requirements.

The project specifications listed in this section supersede any contradictory references made in the General Terms and Conditions section of this Request for Proposal.

1.0 General Intent.

It is the intent of these specifications to solicit formal sealed proposals from firms qualified to provide Construction Management Agent Services on an as needed basis for the Savannah-Chatham County Public School System (SCCPSS). Each project may have different services or level of services required. All responsive proposals will be evaluated and scored to determine qualified firms to provide the required services. The intent of this RFP is to develop a list of qualified firms that are eligible to enter into a contract with SCCPSS for the sole purpose of providing the required services and can also be selected by the District on a project(s) on an as needed basis.

2.0 Background Information.

ESPLOST III provides funding for over $330 million of new schools, major additions and renovations. The district will be directly contracting for the design and construction work. As an option the district may have multiple direct contractors for a project and not have all the construction work under a single contract. This RFP is seeking firms qualified to provide construction management agent services that will provide various pre-construction and construction duties on selected projects. The primary responsibility of the construction manager agent will be quality and assurance that the work is in conformance with the plans and specifications. The successful contractor will enter into a contract directly with Savannah-Chatham County Board of Public Education and must assume all the responsibilities and duties of a direct contract. Local Firms and Minority Business Enterprises are encouraged to respond to this RFP. The District encourages the participation of Local, Minority, Women owned, and Social Disadvantaged enterprises.

3.0 Scope of Services Requested by this RFP.

Offerors submitting responses to this RFP must be qualified to perform the required services. The scope of services required will vary from project to project and will be assigned on an individual project basis include but not limited to:

1. Life Cycle Management Cost Analysis of alternate systems and materials being evaluated
2. Detailed Project Cost Estimate at the completion of each design phase
3. Review and approve Construction Schedule from Contractor
4. Participate in Scope Review Meetings
5. Review and validate Site Mobilization and Demobilization Plan
6. On Going Quality Control Inspections
7. Conduct Weekly Owner Review Meetings on site with General Contractor or CM
8. Publish Monthly Progress Report
9. Generate Owners ongoing punch list
10. Assist with developing and instituting the Plan for Occupancy
11. Coordinate receiving and installation of FF&E
12. Ensure all permitting are conducted in a timely manner
13. Assist with planning and scheduling Owners IT installation
14. Coordinate Owners training for Building Systems
15. Coordinate turnover of Close Out Documents
16. Coordinate building commissioning and obtaining all commissioning and building information system documents
17. Review Contractor subcontracting Plan
18. Review subcontractor bids.
19. Provide alternative energy plan to reduce electrical cost by 5%.
20. Schedule and manage Owner third party inspection agencies
21. Assist with final punch list inspections and contractor compliance and follow up.
22. Assist with Contractor/Subcontractor performance evaluations

4.0 Silence of Specifications.

The apparent silence of these specifications and any supplemental specifications as to any detail or the omission from the specifications of a detailed description concerning any point shall be regarded as meaning that only the best commercial practices are to prevail and correct type, size and design are to be used. All interpretations of these specifications shall be made on the basis of this statement.

5.0 Evaluation Procedure and Procedure for Award.

By the proposal submission deadline, Offerors will submit their proposals in response to this RFP. Proposals shall be formatted as described in Section 6.0, Manner of Preparation, Order of Required Forms and Documents, and Organization of Proposals, and Submission of Fee Proposals, and should be submitted with all of the forms and documents requested. Proposals will initially be reviewed by the Purchasing Department to determine whether the Proposals are “responsive” and the Offerors are “responsible” as described in the General Terms and Conditions of this RFP in light of the goods and/or services requested in this RFP as described more fully in this attachment “A.” If any proposal is determined not to be “responsive,” the Purchasing Department will inform the Offeror in writing that its proposal will not be considered on the basis that it is not “responsive.” If any Offeror is determined by the Purchasing Department to not be “responsible,” the Purchasing Department will inform the Offeror in writing that its proposal will not be considered on the grounds that the Offeror is not a “responsible” Offeror.

After the Purchasing Department determines whether the proposals are “responsive” and the Offerors are “responsible,” an Evaluation Committee will evaluate all of the “responsive” proposals from all of the “responsible” Offerors using the RFP Response Requirements set forth in Section 6.3 below and the related evaluation criteria set forth in Section 7.0 below and rank the proposals in order of most desirable to least desirable.

The Evaluation Committee may determine that all proposals are good enough to be “reasonably susceptible for award” or it may determine that only a certain number of the highest rank Offerors are “reasonably susceptible of being selected for award” and create a short list of those Offerors that the DISTRICT has determined to be qualified to provide services.

For this solicitation, the Evaluation Committee may decide after ranking the “responsive” proposals from “responsible” Offerors to conduct interviews of all “short-listed” Offerors determined to be “reasonably susceptible of being selected for award.” It is the intent of this solicitation to create a list of qualified Offerors that will be individually contracted on an as needed basis.

If interviews are conducted, each of the firm(s) will be scheduled for an interview/presentation time. There will be no separate evaluation points awarded for interviews/presentations; however, technical evaluation points may be revised based on the information that is presented and/or clarified during the interview process. As a result, the short-listed Offerors may be re-ranked. It will be the sole discretion of the Evaluation Committee to decide if interviews will be required.

After the Evaluation Committee completes its final ranking, the Superintendent or her designee will determine the list of qualified Offerors to be recommended to the School Board. The School Board has discretion to accept or reject the Superintendent's recommendation. If the School Board rejects the Superintendent's recommendation this RFP will be cancelled in its entirety.
6.0 Manner of Preparation, Order of Required Forms and Documents, and Organization of Proposals, and Submission of Fee Proposals.

6.1 Manner of Preparation.

All proposals shall be:

- Typewritten or legibly printed in ink and signed by an authorized representative, with all erasures or corrections initialed and dated by the official signing the proposal. ALL SIGNATURE SPACES MUST BE SIGNED. Facsimile, printed, copied or typewritten signatures are not acceptable.

- Submitted in a sealed envelope, which is plainly marked with the RFP number and title, and date and time of proposal closing. No additional information should be written on the outside of the envelope. If proposal materials require additional envelopes, then all mailing articles must be combined together and marked as described above.

- Submitted with the proposal forms included in this RFP in the order provided in Section 7.2 below.

- Offerors should submit one original and five (5) copies and a thumb drive with a PDF copy of the complete proposal packet.

Offerors are encouraged to review carefully all provisions and attachments of this document prior to submission. Each proposal constitutes an offer and may not be withdrawn except as provided herein.

6.2 Order of Required Forms and Documents.

For this solicitation, the proposal, forms, and requested documentation should be submitted to the Purchasing Department in the following order to facilitate Purchasing Department review. The total absence of any of these forms or documents will result in the proposal being declared to be "nonresponsive."

1. Solicitation Form 1: Proposal Submission Checklist
2. Solicitation Form 2: Proposal Certification Form
3. RFP Response TAB A – Experience and Stability
   - RFP Response TAB B – Personnel
   - RFP Response TAB C - Innovation
   - RFP Response TAB D – Fee Proposal (Sealed)
4. Solicitation Form 3: Offerors References (to be included following the Offeror's Proposal)
5. Solicitation Form 4: Contractor Affidavit Under O.C.G.A. § 13-10-91
   (submit only if contractor will be using subcontractors)
7. Solicitation Form 6: Sub-Subcontractor Affidavit Under O.C.G.A. § 13-10-91
   (submit only if subcontractors will be using sub-subcontractors)
8. Solicitation Form 7: Disclosure of Responsibility Statement
9. Solicitation Form 8: Proposed Schedule of LMWBE Participation
10. Solicitation Form 9: Documentation of Good Faith Efforts to Involve LMWBE
11. Solicitation Form 10: Joint-Venture Disclosure Statement
    (submit only if Offeror is a joint venture)
12. Solicitation Form 12: Fee Proposal Form (Fees to be included in TAB D)
13. Offeror's Certificate of Insurance: Documents showing that Offeror has the minimum insurance requirements required by this solicitation.
15. Any State of Georgia licenses required to provide the goods and/or services requested by this RFP.
16. A copy of the Offeror’s W-9, showing its Federal Tax Id. Number and Certification

6.3 Organization of Proposals.

Offerors’ typewritten or legibly printed proposals shall be organized and tabbed to track the evaluation criteria that will be used by the DISTRICT to evaluate proposals:

To be considered, Offerors must submit a complete response to the RFP. **The format provided below is not negotiable.** To assure a uniform review process and obtain a maximum degree of comparability, each proposal shall include the following content and be presented in tabbed sections in the following order.

**Letter of Transmittal (Not Scored)**

This letter will summarize in a brief and concise manner, the Offeror’s understanding of the scope of work and make a positive commitment to timely provide requested services. The letter must name all of the persons authorized to make representations for the offeror, including the titles, addresses, and telephone numbers of such persons. An authorized agent of the offeror must sign the Letter of Transmittal indicating the agent's title or authority. The proposal shall name all persons or entities interested in the proposal. The letter should not exceed two (2) pages in length.

**RFP Response Requirements**

Please provide written responses to the following areas of evaluation:

A. **Experience and Suitability (30%) (TAB A)**

Stability of the firm, including the firm’s corporate history, growth, resources, form of ownership, etc.; along with experience and suitability to provide the required services.

1. **Provide basic company information:** Company name, address, name of primary contact, telephone number, fax number, e-mail address, and company website (if available). If the firm has multiple offices, the qualification statement shall include information about the parent company and branch offices that would provide services to the District separately. Identify the office from which project will be managed. If applicable, indicate the year the local office was established and the number of persons staffing that office and their disciplines. Provide form of ownership, including state of residency or incorporation, and number of years in business. Is the offeror a sole proprietorship, partnership, corporation, Limited Liability Corporation (LLC), joint venture, or other structure? For joint venture entities that have not undertaken at least two projects together, each firm should submit its qualifications separately. Joint submittals are subject to the same submittal page limit.

2. **Minimum Compliance and Qualifications Criteria.** To be deemed eligible for evaluation, Offeror must meet the following compliance and minimum qualifications criteria:

2.a. **Proof of Ability to Meet Insurance Requirements.** Offeror must demonstrate that it is insurable for the following limits: Commercial General Liability Insurance with limits of liability of at least $1,000,000 per occurrence, including Automobile Comprehensive Liability Coverage with bodily injury in the minimum amount of $100,000 each occurrence; to cover vehicles owned, leased or rented by the Consultant; and certificate of insurance showing evidence of professional or commercial general liability insurance in limits of not less than $1,000,000 pre occurrence. Any deductibles and self-insurance retention may not be greater than $25,000. Workers Compensation per statutory limits.
2.b. Proof of Business Licenses/Business Entity Status. If a business entity required to register with the Georgia Secretary of State, Offeror must provide a copy of their Current Annual Registration with the State of Georgia (G.C.G.A. 43-41-9). If an Offeror is not a business entity required to register with the Georgia Secretary of State, Offeror must prove to the District’s satisfaction that it is a valid business entity and provide any corporate documents requested by the District such as written partnership agreements etc. Offeror must also provide a copy of its current local Business Licenses and Tax Certificates.

3. Experience on Similar Projects. Provide information on the firm’s experience on projects of similar size, function, and complexity (similar type of construction as the proposed projects). Describe no more than five (5) and no less than three (3) projects in the last 10 years, in order of most relevant to least relevant, which demonstrate the firm’s capabilities to perform Construction Management Agent scope of services.

4. LMWBE Policies and Plans. With its proposal, the Offeror will be required to submit the attached local, minority, socially disadvantaged, and women-owned business enterprise (LMWBE) forms which will help identify Offeror’s policies and plans to try to identify and involve qualified locally owned business as well as qualified businesses owned by and employing women, minorities, and socially disadvantaged individuals. The District will assess the Offeror’s overall LMWBE policies and plans. An Offeror that does not qualify as a local, minority, socially disadvantaged, or women-owned business enterprise itself will still be evaluated positively or negatively in connection with this factor based on the detail and quality of its LMWBE submissions. An Offeror that qualifies as a local, minority, socially disadvantaged, or women-owned business enterprise itself will also be evaluated positively or negatively on the detail and quality of its overall LMWBE submission and will not be considered to have submitted a strong LMWBE plan simply because it is an LMWBE itself. No set points are assigned to any Offeror because of its status as an LMWBE or because of the quality of its LMWBE plan. Rather, an Offeror’s LMWBE policies and plans are just one of many factors considered with respect to an Offeror’s suitability.

B. Personnel (30%) (TAB B)
Provide resume of each proposed staff member showing their experience and technical expertise in connection with the scope of service as defined in Section 3.0.

C. Innovation (20%) (TAB C)
Provide cost saving techniques; and provide examples of past projects where you provided value engineering. Provide examples of the cost savings or time saved by providing this service.

D. Fee Proposal (Sealed Envelope) (20%) (TAB D)
Provide cost per hour that will be charged for all the personnel as proposed for the requested services and work included in the Scope of Services. Contract for services will be negotiated based on individual project and scope of services required and Offeror’s required staff and time for the project.

7.0 Evaluation Criteria

For this solicitation, Proposals will be evaluated using the following Evaluation Matrix by an Evaluation Committee of District staff and/or outside consultants (unaffiliated with any Offeror) engaged by the SCCPSS for the purpose of evaluating proposals. For this solicitation, the following Evaluation Matrix will be used.

<table>
<thead>
<tr>
<th>Evaluation Criteria</th>
<th>Available Points</th>
</tr>
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<tbody>
<tr>
<td>Experience and Suitability (Tab Section A)</td>
<td>30</td>
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<tr>
<td>Personnel (Tab Section B)</td>
<td>30</td>
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<tr>
<td>Innovation (Tab Section C)</td>
<td>20</td>
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<tr>
<td>Fee Proposal – Cost (Tab Section D)</td>
<td>20</td>
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<tr>
<td>Total Points</td>
<td>100</td>
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</tbody>
</table>
In the event of a tie for highest-ranked Offeror, including as to cost, all of the Offerors tied for highest-ranked Offeror will be considered reasonably susceptible for award and the Offerors tied for highest-ranked Offeror will be asked to resubmit sealed fee proposals until a single highest-ranked Offeror is determined.

8.0 Terms of Contract.

For this solicitation, the Board requests that the Offeror provide a proposed contract with terms of service. The District requests that the following terms or substantially similar terms be included in any contract proposed. If not, the Board requests that the Offeror provide a Request for Material Substitution before submitting its Proposal asking to substitute different terms. The Board reserves the right to reject any proposals that does not contain these terms or contains other terms unacceptable to the Board. The Board reserves the right to negotiate all terms of any contract proposed by an Offeror up until any point before the School Board awards a contract to an Offeror.

A. The Board will not accept any provisions requiring the Board to indemnify Offeror.

B. The Offeror will agree to indemnify the Board as follows: Offeror hereby agrees to indemnify and hold harmless the Owner, and all of its respective elected school board members, officers, and employees (hereinafter collectively referred to as the "Indemnitees") from and against any and all claims, demands, liabilities, losses, costs or expenses, including attorneys’ fees, made by a third party or parties, for any loss due to bodily injury (including death), personal injury, and property damage to the extent arising out of or resulting from the performance of this Contract or the negligence, recklessness, or intentional wrongful conduct of the Offeror, its agents, employees or others utilized by the Offeror in the performance of this Contract, or due to any breach of this Contract by the Offeror, or due to the application or violation of any pertinent Federal, State or local law, rule or regulation. This indemnification extends to the successors and assigns of the Offeror. This indemnification obligation survives the termination of the Contract and the dissolution or, to the extent allowed by law, the bankruptcy of the Offeror. The parties do not intend for this indemnification provision to extend to claims, demands, liabilities, losses, costs or expenses, including attorneys’ fees, made by a third party or parties, for any loss due to bodily injury (including death), personal injury, or property damage caused solely by the negligence, recklessness, or intentional wrongful conduct of the Indemnitees.

C. The contract shall contain the following choice-of-law provision: “This Agreement shall be governed by the laws, rules, and regulations of the State of Georgia, except for any of Georgia’s choice-of-law rules that would result in the application of another state’s laws.

D. The contract shall contain the following forum selection clause: “Any claim or controversy arising out of or relating to this Agreement or any breach thereof shall be brought, maintained and pursued only in a state court of competent subject matter jurisdiction located in Georgia’s Eastern Judicial Circuit in and for Chatham County, Georgia, or in any federal court of competent subject matter jurisdiction located in the Southern District of Georgia, Savannah Division. The Parties hereby agree in advance to consent to personal jurisdiction in any state or federal court of competent subject matter jurisdiction in Chatham County, Georgia, or the Southern District of Georgia and agree in advance to waive the defense of personal jurisdiction in any such court. The Parties further agree that any state or federal court of competent subject matter jurisdiction in Chatham County, Georgia, or the Southern District of Georgia, will be a proper venue for any action arising out of or relating to this Agreement or any breach thereof and agree in advance to waive the defense of improper venue in any such court.”

E. The contract will require the Offeror to meet the following insurance requirements:
9.0 Insurance Requirements.

The Contractor shall procure, and maintain, for the duration of the contract, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his Agents, Representatives, and Employees. The cost of such insurance shall be included in the Contractors bid.

Prior to the commencement of any work, the Contractor shall obtain and furnish certificates of insurance to the District indicating the minimum lines of coverage shown below. The District, its officers and/or officials, employees and volunteers shall be named as insured under the Contractor’s insurance policy for the duration of the contract term.

The policies of insurance shall be primary and written on forms acceptable to the Board and placed with insurance carriers approved and licensed by the Insurance Department in the State of Georgia and meet minimum financial A.M. Best & Company rating of no less than A:8. Further the contractor will provide copies of all insurance policies required thereunder. No changes are to be made to these specifications without prior written specific approval by the Board.

a. Commercial General Liability- Including but not limited to bodily injury, property damage, contractual and personal injury with limits of not less than $1,000,000 combined single limit per occurrence, $1,000,000 per project aggregate covering all work performed under this contract.

b. Automobile Liability- Including but not limited to bodily injury and property damage to all vehicles owned, leased, hired, and non-owned with a limit of not less than $1,000,000 combined single limit covering all work performed under this contract. Limits may be satisfied by combining an Umbrella form and Automobile Liability form for a combined total limit of $1,000,000. Contractor will submit a Certificate of Insurance and provide Liability/Collision coverage for all drivers who will transport vehicles to and from District property.

c. Worker’s Compensation Insurance- Statutory limits in accordance with O.C.G.A.34-9-120 et. seq..

d. Umbrella Liability- Limits of not less than $1,000,000 per occurrence covering all work performed under this contract.

Contractor shall provide Certificate of Insurance with the Board named as additional insured and certificate holder. Failure to provide and maintain insurance coverage during the life of the contract will be grounds for termination of the contract.

End of Attachment A
Forms to Follow
SOLICITATION FORMS

1. Solicitation Form 1: Proposal Submission Checklist
   (to be included on the front of any proposal)
2. Solicitation Form 2: Proposal Certification Form
   (to be included behind the checklist and before the Offeror’s proposal)
3. Solicitation Form 3: Offerors References (to be included following the Offeror’s Proposal)
5. Solicitation Form 5: Subcontractor Affidavit Under O.C.G.A. § 13-10-91
   (only needed if subcontractors will be used)
   (only needed if sub-subcontractors will be used)
7. Solicitation Form 7: Disclosure of Responsibility Statement
8. Solicitation Form 8: Proposed Schedule of LMWBE Participation
9. Solicitation Form 9: Documentation of Good Faith Efforts to Involve LMWBE
10. Solicitation Form 10 Joint-Venture Disclosure Statement
    (only need if a joint venture used)
    (included for Offeror’s reference, not needed to submit proposal)
12. Solicitation Form 12: Form for Fee Proposal (Fees to be included in TAB D)
13. Solicitation Form 13: No Proposal Statement Form
Proposal Submission Checklist

Please include this Proposal Submission Checklist on the front of your proposal and check which documents are included.

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BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM  
RFP #C18-32 - SOLICITATION FORM 2

Proposal Certification Form

Please complete this form and sign it in the presence of a notary:

A. Local and/or Minority/Woman Business Enterprise Development Information.

It is the desire of the District to maximize participation of local and disadvantaged business enterprises at all levels in the procurement process. In order to accurately document participation, businesses submitting bids or proposals are required to report ownership status.

☐ Local    ☐ Woman    ☐ Asian-American  
☐ African-American    ☐ Hispanic    ☐ American Indian  
☐ Majority    ☐ Non-Local

B. How Did You Hear About This RFP? (This information is for statistical use only.)

☐ City of Savannah, Dept. of Economic Development  
☐ Received Request by Mail  
☐ Visiting the Purchasing Office  
☐ The Herald Legal Ad  
☐ The Savannah Tribune Legal Ad  
☐ Savannah News Press Legal Ad

C. Offeror’s Certification.

This is to certify that I, on behalf of the undersigned Offeror, have read this RFP in its entirety (including all attachments) and agree to be bound by the provisions of the contained herein.

This ___ day of ______________________ , 20__  By: __________________________ ________________

__________________________________________  Signature

Title

Company

Address (Street, City, State, Zip)

Phone No.  Fax No.

Federal Taxpayer I.D. No.  e-Verify No.

Contact Person for This Bid  Phone Number

Acknowledge Receipt of Addendum(s) #___ #___ #___ #___ #___ #___

D. NOTARY:  Subscribed and sworn before me on

This the ___ day of ______________________ , 20__

__________________________________________

Notary public

__________________________________________

My commission expires

Solicitation Form 2

RFP C18-32 ESPLOST - Construction Management Agent (Annual Contract) | Page 23
REFERENCES OF AT LEAST THREE ORGANIZATIONS SUPPLIED WITH SIMILAR ITEMS:

1. **Company Name:**  
   
   Contact Person:  
   
   Phone Number:  FAX Number:  
   
   E-Mail Address:  

2. **Company Name:**  
   
   Contact Person:  
   
   Phone Number:  FAX Number:  
   
   E-Mail Address:  

3. **Company Name:**  
   
   Contact Person:  
   
   Phone Number:  FAX Number:  
   
   E-Mail Address:  

4. **Company Name:**  
   
   Contact Person:  
   
   Phone Number:  FAX Number:  
   
   E-Mail Address:  
Contractor Affidavit Required by O.C.G.A. § 13-10-91(b)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is engaged in the physical performance of services on behalf of Savannah-Chatham County Public School System has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period, if awarded a contract, and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

<table>
<thead>
<tr>
<th>Federal Work Authorization User Identification Number</th>
<th>Date of Authorization</th>
</tr>
</thead>
</table>

Name of Contractor

RFP C18-32 ESPLOST – Construction Management Agent (Annual Contract)

Name of Project

The Board of Public Education for the City of Savannah and the County of Chatham

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on

__________________, 201____ in ________________, and__________________

City State

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON

THIS THE ____DAY OF __________________, 201____

NOTARY PUBLIC

My Commission Expires

Solicitation Form 4
Subcontractor Affidavit Required by O.C.G.A. § 13-10-91(b)

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is engaged in the physical performance of services under a contract with ____________________ on behalf of the Savannah-Chatham County Public School System ("SCCPSS") has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned subcontractor will continue to use the federal work authorization program throughout the contract period, if awarded a contract, and the undersigned subcontractor will forward the federal work authorization user identification number and date of authorization as follows:

<table>
<thead>
<tr>
<th>Federal Work Authorization User Identification Number</th>
<th>Date of Authorization</th>
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</table>

Name of Subcontractor

RFP C18-32 ESPLOST – Construction Management Agent (Annual Contract)

Name of Project

Savannah-Chatham County Public School System

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on

________________________ in ___________________________, and ____________________________

Date City State

________________________

Signature of Authorized Officer or Agent

________________________

Printed Name and Title of Authorized Officer or Agent

Subscribed and sworn before me on
This the ________ day of ______________________, 201____

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Notary Public

________________________

My commission expires

Solicitation Form 5
BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM
RFP #C18-32 - SOLICITATION FORM 6

(Required only if the Offeror may use subcontractors)

Sub-Subcontractor Affidavit Required by O.C.G.A. § 13-10-91(b)

By executing this affidavit, the undersigned sub-subcontractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is engaged in the physical performance of services under a contract with ____________________________ (prime contractor) and ____________________________ (subcontractor) on behalf of the Savannah-Chatham County Public School System ("SCCPSS") has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned sub-subcontractor will continue to use the federal work authorization program throughout the contract period, if awarded a contract, and the undersigned sub-subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the subcontractor with the information required by O.C.G.A. § 13-10-91(b). Additionally, the undersigned sub-subcontractor will forward notice of the receipt of an affidavit from a sub-subcontractor to the contractor within five business days of receipt. If the undersigned sub-subcontractor receives notice that a sub-subcontractor has received an affidavit from any other contracted sub-subcontractor, the undersigned subcontractor must forward, within five business days of receipt, a copy of the notice to the contractor. Sub-subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

<table>
<thead>
<tr>
<th>Federal Work Authorization User Identification Number</th>
<th>Date of Authorization</th>
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Name of Sub-Subcontractor

RFP C18-32 ESPLOST – Construction Management Agent (Annual Contract)

Name of Project

Savannah-Chatham County Public School System

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on ____________________________, and ____________________________

Date City State

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

Subscribed and sworn before me on

This the _________ day of ______________________, 201______

Notary Public

My commission expires

Solicitation Form 6
Disclosure of Responsibility Statement

1. List any convictions of any person, subsidiary, or affiliate of the company, arising out of obtaining, or attempting to obtain a public or private contract of subcontract, or in the performance of such contract or subcontract.

2. List any convictions of any person, subsidiary, or affiliate of this company for offenses such as embezzlement, theft, fraudulent schemes, etc. or any other offenses indicating a lack of business integrity or business honesty which affect the responsibility of the contractor.

3. List any convictions or civil judgments under state or federal law.

4. List any violations of contract provisions such as knowingly (without good cause) to perform, or unsatisfactory performance, in accordance with the specifications of a contract.

5. List any prior suspensions or debarments by any government agency.

6. List any contracts not completed on time.

7. List any penalties imposed for time delays and/or quality of material and workmanship.

8. List any documented violations of federal or state labor laws, regulations, or standards, occupational safety and health rules.

9. List any pending civil actions against company for nonperformance of contract.

I, _____________________________, of _____________________________,

Name of Individual Title & Authority Company Name

declare under oath that the above statements, including any supplemental responses attached hereto, are true.

______________________________
Signature

______________________________
Date City State

Subscribed and sworn before me on
This the _________ day of __________________, 201_____

Notary Public

My commission expires

Solicitation Form 7
BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM
RFP #C18-32 - SOLICITATION FORM 8

Proposed Schedule of LMWBE Participation

NAME OF OFFEROR: ________________________________

RFP #: RFP C18-32  PROJECT TITLE: ESPLOST – Construction Management Agent (Annual Contract)

TOTAL AMOUNT: $ ______________________

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<tr>
<th>NAME OF LMWBE PARTICIPANT</th>
<th>ADDRESS</th>
<th>TYPE OF WORK SUB-CONTRACTED</th>
<th>SUBCONTRACT VALUE</th>
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AFRICAN-AMERICAN PARTICIPATION TOTAL VALUE: _______% $ _______

WOMEN PARTICIPATION TOTAL VALUE: _______% $ _______

OTHER MINORITY PARTICIPATION TOTAL VALUE: _______% $ ___________

The undersigned will enter into a formal Agreement with the LMWBE Sub-contractors/Proposers identified herein for work listed in this schedule conditioned upon execution of a contract with the Savannah-Chatham County School Board.

__________________________
Signature

________________________________________
Title  
Subscribed and sworn before me on 
This the _________ day of ______________________,  
201_______

__________________________
Notary Public

My commission expires

Solicitation Form 8
**Good Faith Efforts Requirements**

Offerors are required to submit with their proposal evidence of good faith efforts utilized to ensure that minority and women enterprises are provided with the maximum opportunity of compete on this contract. Such good faith efforts of a bidder will include, but not limited to, the following:

| Attendance at pre-bid meetings, if any scheduled to inform LMWBE’s of subcontracting opportunities. | □ Yes or □ No  
If no, please explain: |
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<td>Advertisements in general circulation media, trade association publications, and minority and women business enterprise media to provide notice of subcontracting opportunities.</td>
<td>□ Yes or □ No</td>
</tr>
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</table>
| Communicating with the Savannah Entrepreneurial Center to identify available qualified LMWBEs. | □ Yes or □ No  
If no, which agencies were used to identify potential LMWBE Subcontractors? |
| Efforts made to select portions of work for subcontracting in areas with established availability of LMWBE subcontractors. | □ Yes or □ No |
| Providing a minimum of five (5) days written notice to known qualified LMWBEs that their interest in prime and subcontracting opportunities or furnishing supplies is solicited. | □ Yes or □ No |
| Efforts to negotiate with qualified LMWBEs for specific sub-bids, including reasons for rejections of any sub-bid offered. | Please explain efforts: |
**PARTNERSHIP/JOINT-VENTURE DISCLOSURE STATEMENT**

(only needed if Offeror is a joint venture)

NAME OF OFFEROR: ___________________________ RFP #: RFP C18-32

If the Offeror is a partnership or joint venture between multiple business entities, including but not limited to corporations or LLCs, please identify the partnership/joint venture entities and the level of work and financial participation to be provided by each partner/joint venture entity. If the Offeror is a partnership whose partners are all natural persons, it shall not be necessary for the Offeror to identify all individual partners in this form. However, Offeror is still required to provide a copy of the partnership agreement as requested in this RFP and may be asked to provide information on the identities, assets, and liabilities of the individual partners to ensure that the Offeror has the capacity to provide the goods and/or services requested by this RFP.

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<th>Partnership/ Joint Venture Entities</th>
<th>Level of work</th>
<th>Financial participation</th>
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Solicitation Form 10
NAME OF CONTRACTOR/CONSULTANT: ________________________________

RFP #: **RFP C18-32**

PROJECT TITLE: **ESPLOST – Construction Management Agent (Annual Contract)**

DATE: ____________________ PROJECT LOCATION: ________________________________

CONTRACT AMOUNT: $ ____________________________

<table>
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<tr>
<th>NAME OF LMWBE PARTICIPANT</th>
<th>ADDRESS</th>
<th>TYPE OF WORK SUB-CONTRACTED</th>
<th>MONTHLY PAYMENTS</th>
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CUMULATIVE LMWBE MONTHLY REPORT: $ ____________________________

PERCENTAGE OF TOTAL CONTRACT: ______% 

PERCENTAGE OF OVERALL CONTRACT COMPLETION: ______% 

The undersigned hereby affirms and declares that the above listed firms were actually employed in the performance of work services under this contract, and further that each such firm earned and has been paid the stated amounts for their respective efforts.

Under penalties of perjury, I declare that I have read the foregoing conditions and instructions and the facts are true to the best of my knowledge and beliefs.

Date: ______________ Signature: __________________________ Title: __________________________

NOTES:

1. Contractor/proposer shall attach to this report a typewritten explanation of any differences in LMWBE participation between this report and LMWBE Exhibit 1, including an accounting for any changes in LMWBE firms employed.

This report must be completed in duplicate and one copy submitted with CONTRACTOR'S REQUEST FOR MONTHLY AND FINAL PAYMENTS and the second copy directly to the district's Purchasing Department.
Board of Public Education for the City of Savannah and the County of Chatham
Rfp #c18-32 - solicitation form 12

Fee Proposal Form

Provide in tab d cost per hour for each personnel included in rfp response in tab b. Cost per hour must be inclusive of all labor, benefits, indirect costs, overhead, and profit.

In submitting this proposal, I agree to the following:

1. To hold my proposal and all fees valid for a period of one-hundred twenty (120) days.
2. To enter into and execute a contract, if awarded on the basis of this proposal.
3. To accomplish the work in accordance with the contract documents and specifications.
4. To complete the work by the time as listed in the specifications section of this document.
5. I will deliver and complete the services outlined in the solicitation documents.

The undersigned, having read and examined the documents and attachment “a” specifications, understands the requirements of this proposal and agrees to provide the required services in accordance with this proposal, and all other attachments, exhibits, etc. and further understands that the Savannah/Chatham County Public School System will not be responsible for any cost not specifically set forth in this proposal.

Individual Name:

Signature:

Firm Name:

Address:

Telephone:

Fax:

Email:

Solicitation Form 12}

Rfp c18-32 esplost - Construction Management Agent (Annual Contract) | Page 33
BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM
RFP #C18-32 - SOLICITATION FORM 13

No Proposal Statement Form

In an effort to make the procurement of goods and services for the School District as competitive as possible, we are soliciting information from contractors and/or vendors who cannot bid. Your responsiveness and constructive comments will be appreciated.

Completion of this form will assist us in evaluating factors which relate to the competitiveness of our bids. Please check any of the boxes below which may apply. Please explain any issues that you feel needs to be addressed.

☐ Specifications - Restrictive, too “tight”, unclear, specialty item, geared toward one (1) brand or manufacturer only. *(Please explain in detail below).*
☐ Manufacturing - Unique item, production time for model has expired, etc.
☐ Bid Time - Insufficient time to properly respond to bid or proposal.
☐ Delivery Time - Specified delivery time cannot be met.
☐ Payment - Payment terms unacceptable. *(Please be specific)*
☐ Bonding - We are unable to meet bonding requirements.
☐ Insurance - We are unable to meet insurance requirements.
☐ Removal - Remove our firm from your bidders list for the particular commodity or service.
☐ Keep - Please keep our company on your bidders list for future reference.
☐ Project is: ___/ Too Large ______/ Too Small ______/ Site or Location is Too Distant
☐ Miscellaneous - Do not wish to bid, do not handle this type of item(s) or services, unable to compete, Contract clauses are unacceptable, etc. *(Please be specific)*

VENDOR STATEMENT:

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

CONSTRUCTION PROJECTS ONLY: Our Company is interested in this project as a:
☐ Prime Contractor ☐ Sub-Contractor ☐ Supplier/Distributor

__________________________________________
Signature/Title

__________________________________________
Company Name

__________________________________________
Telephone Number

Solicitation Form 13

RFP C18-32 ESPLOST - Construction Management Agent (Annual Contract) | Page 34