

Earlimart School District



Request for Qualifications and Proposals

Lease Lease-Back Preconstruction and Construction Services New Preschool, Transitional Kindergarten, and Kindergarten Classrooms Project at Alila Elementary School

Prequalification Questionnaire Due:

Friday, March 10, 2023 at 1:00 PM

RFQ/P Responses Due:

Friday, March 24, 2023 at 1:00 PM

Respondents must mail or deliver sealed proposals containing five (5) bound copies and one (1) electronic copy on CD/DVD or USB stick of their RFQ/P response conforming to the requirements of this RFQ/P to:

EARLIMART SCHOOL DISTRICT
C/O CALDWELL FLORES WINTERS, INC.
521 N. 1st Avenue
Arcadia, CA 91006

Respondents must also transmit one (1) PDF copy via email to ascott@cfwinc.com

Only Firms that have registered with the California Department of Industrial Relations (DIR) regulations are eligible to be further considered for a construction contract. For any public project, as defined in subdivision (c) of Section 22002 of the Public Contract Code, for which the District uses funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 of the Education Code) or any funds from any future State school bond for a public project that involves a projected expenditure of one million dollars (\$1,000,000) or more, the District shall require that prospective general contractors and prospective electrical, mechanical and/or plumbing subcontractors ("Firms") complete and submit a standardized prequalification questionnaire and financial statement, verified under oath.



**Earlimart School District
Request for Qualifications and Proposals (RFQ/P)
for Lease Lease-Back Preconstruction and Construction Services for New
Preschool, Transitional Kindergarten, and Kindergarten Classrooms Project at
Alila Elementary School**

I. INTRODUCTION

Interested firms are invited to submit qualifications and proposals for Preconstruction and Construction Services for the Earlimart School District's New Preschool, Transitional Kindergarten, and Kindergarten Classrooms Project at Alila Elementary School. Firms are invited to submit qualifications and a proposal for the project.

Section 2 of this RFQ/P outlines the desired preconstruction and construction scope of work for the project. Section 3 provides a project description including a summary of the scope, budget, and schedule of the new preschool, transitional kindergarten, and kindergarten classrooms project at Alila Elementary School. Sections 4 through 10 and related attachments outline the RFQ/P submittal requirements and selection procedure as well as general information, and requirements.

At the conclusion of the selection process, a recommended firm will be considered by the District's Board of Trustees for the project. Subject to Board approval and upon notification to proceed, the selected firm shall perform preconstruction services, including reviewing design documents for constructability, completeness, scheduling, clarity, consistency and coordination; undertaking a value-engineering analysis, soliciting subcontract bids, and preparing reports with recommendations to the District and the architect to maintain the established budget, pursuant to a Lease Lease-Back Agreement.

The project shall be performed under the direction of Caldwell Flores Winters, Inc. (CFW), the Program Manager, and the Earlimart School District (District). The selected firm shall work with the assigned architect for the project as needed to conduct the proposed scope of work. Following the completion of pre-construction Services, the District may begin negotiations with the selected Lease Lease-Back (LLB) firm to enter into a Construction Services Agreement and requisite documents establishing a GMP pursuant to a Lease Lease-Back method of construction delivery.

II. SCOPE OF WORK

The District desires to select a firm capable of providing LLB pre-construction and construction services for the project. The selected firm for the project should expect to perform pre-construction services as established by the District pursuant to a Pre-Construction Services Agreement. If the District proceeds with the construction of the project, the selected firm may be retained as a LLB

contractor pursuant to a Construction Services Agreement, Lease and Sub-lease and may contract with separate specialty trade contractors to perform the required scope of work.

Pre-Construction Services are anticipated to include the following:

1. Review design and support documentation for content, constructability, completeness, scheduling, clarity, consistency and coordination
2. Undertake value-engineering analysis and prepare reports with recommendations to District and Architect of Record to maintain established program budget and specifications
3. Provide detailed cost estimates at schematic, design development, and construction document design phases
4. Expedite design reviews, including modifications, if any, based on value analysis
5. Provide a proposed guaranteed maximum price for the construction of the project

Construction Services are anticipated to include, but not be limited to the following:

1. Provision of a proposed Guaranteed Maximum Price (GMP) for the construction of the project with identified subcontractor bids and self-performed work
2. Construction of the Project
3. Coordination of record drawings and specifications
4. Compilation of operations and maintenance manuals, warranties/guarantees, and certificates
5. Obtaining occupancy permits and coordinating testing, documentation, and governmental inspections and approvals
6. Preparation of accounting and closeout reports and occupancy plan reports
7. Other responsibilities as necessary for the completion of the program

III. PROJECT DESCRIPTION

Under the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program, at the October 26, 2022 State Allocation Board (SAB) meeting, the District received a SAB grant apportionment of approximately \$6 million requiring a \$3 million District match, for a total project cost of \$9 million, for nine new permanent classrooms to be located at the Alila Elementary school site. The project includes three new preschool, three new transitional kindergarten, and three new kindergarten classrooms. The grant will provide permanent facilities at the site pursuant to State requirements and previously adopted Board of Education specifications for these types of facilities.

The District will have until October 26, 2023, to submit written approvals from the Division of State Architect (DSA) and California Department of Education (CDE) of proposed architectural drawings and plans to the Office of Public School Construction (OPSC). The District must contract or encumber the entirety of the grant amount within one year of receipt of the construction apportionment; hence by October 26, 2024, all grant funds must be spent or encumbered.

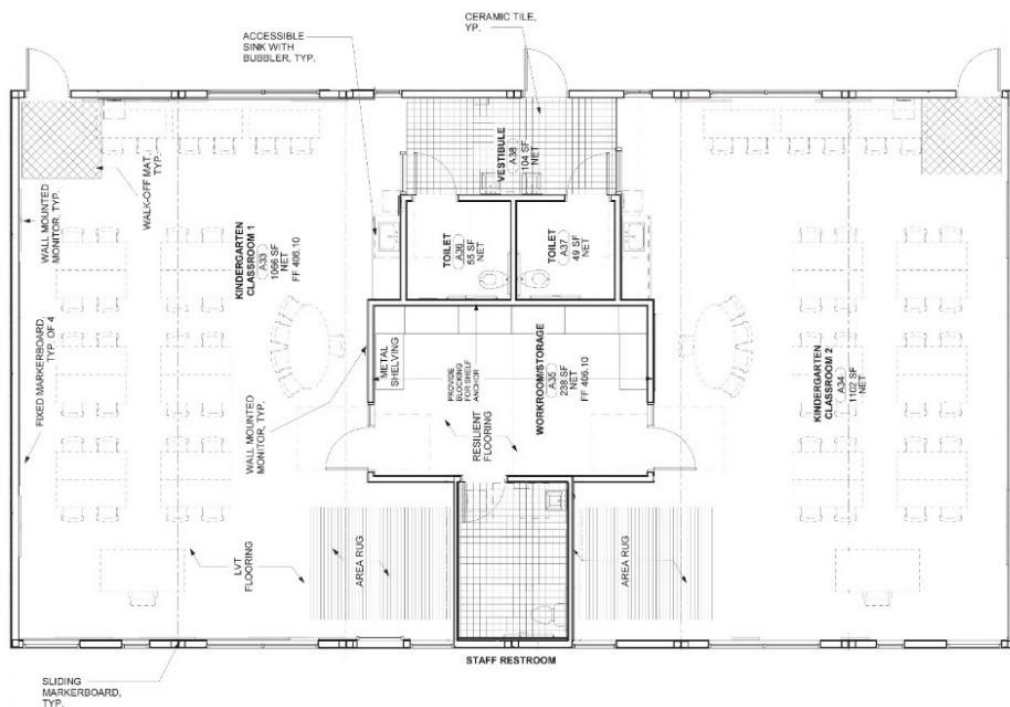
Project Specifications

Transitional kindergarten and kindergarten classrooms must meet Title 5 requirements of not less than 1,350 square feet, including restrooms accessible from the classroom, storage and teacher preparation spaces, wet

and dry areas, and designed supervision of the classroom and play yards. The play yard is designed to provide a variety of activities for development of large motor skills. Classrooms must provide learning environments that support the requirements for learning and mastering the Common Core State Standards (CCSS) and Next Generation Science Standards (NGSS) by young children. These specifications for facilities have been approved by the OPSC and SAB for State grants, the CDE for compliance with State requirements, and the DSA for building code compliance.

The classroom specifications detailed below are to be integrated into the State Title 5 and District Board approved 21st Century classroom requirements for the new classrooms, expanding their potential use for either preschool, transitional kindergarten, or kindergarten program use as enrollment may fluctuate from year to year. Figure 1 depicts a sample preschool, transitional kindergarten and kindergarten classroom floor plan designed to meet District specifications, Title 5 and Title 22 requirements.

Figure 1: Sample Preschool, TK and Kindergarten Classroom Floor Plan



Preschool Classrooms

In order to meet State licensing requirements, a preschool facility must be Title 5 compliant, provide a minimum of 1350 square feet, and conform to Title 22 of the California Code of Regulations. Title 22 outdoor requirements include: 75 square feet per child of outdoor activity area based on its total licensed capacity that is easily and safely accessible to children, a shaded rest area with equipment and activities arranged so as not to interfere with each other, and a four foot fence enclosing the outdoor area. Indoors, a minimum of 35 square feet per child of activity space must be available based on its total licensed capacity with individual storage space for each child, a restroom facility for every 15 children, and a separate restroom facility for teachers, staff, or ill children. A drinking fountain must also be installed inside and outside for child use. These standards are to be integrated within in the proposed specifications of Title 5 classrooms with 21st Century Learning Environments for TK/K facilities, expanding the potential use of “flex-classrooms” district wide to better accommodate fluctuations in program and enrollment requirements over time.

The classroom area is a large open space that has different student learning centers to include art activities, dress up and “make believe”, early childhood kitchens, and a building area. The storage is flexible and mobile with one specific storage unit to contain cubbies for each individual child. There are age-appropriate student tables and chairs that are used for classroom activities as well as eating. The tables are mobile and can be moved to provide large open areas as needed. A sink is accessible to the classroom for cleaning up after learning activities as well as hand washing. The restroom is accessible from the main classroom and is divided into two components: a private toilet and a common sink area for hand washing. There is an additional bathroom that is used for staff and for sick children that is located near the work/storage room. In the work/storage room one wall of counter space with a sink is provided for clean up after snacks or meals or from required learning activities. There are storage shelves on the other walls of the storage room.

The outside play area is accessible from the main classroom and is designed to provide supervision. A four-foot fence separates the playground from other areas of the school, has a drinking fountain, age-appropriate play structure, and shade. The playground is designed to provide a variety of activities for development of large motor skills with associated impact resistant surfaces where elevated play structures are located.

To provide maximum flexibility, preschool classrooms include sliding markerboards installed to cover approximately forty-five (45) to sixty-five (65) percent of classroom wall surfaces, including those that can slide to the side to reveal outdoor windows. Marker boards should also be magnetic and support removable adhesive materials to allow for instructors to attach student exemplars where needed for instruction. On walls without markerboards, mineral fiber core tackable panels are installed to maximize presentation space and help modulate acoustic reverberation. The classroom includes a multimedia presentation shuttle so that the teacher can maneuver easily around the room. Broadband-connected high-definition displays are attached to hydraulic wall mounts which allow easy adjustment of the displays’ viewing angle and height to allow students to view content from any point in the room. Media interface devices, students, and teachers can project content from a computer or mobile device to the mounted displays as needed.

Transitional Kindergarten/Kindergarten Classrooms

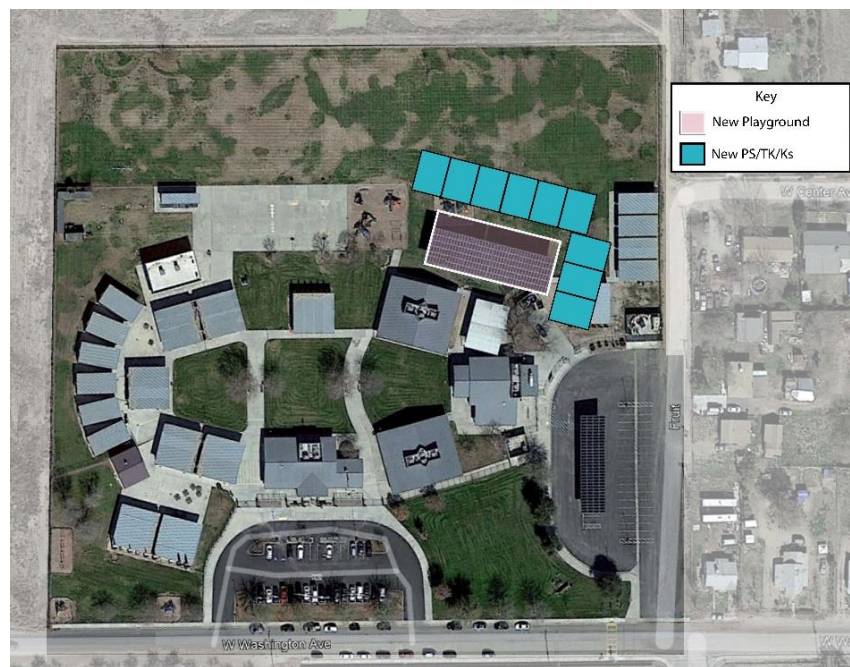
The State standard and District specification for 21st Century Learning Environments, Transitional Kindergarten/Kindergarten classroom incorporates Title 5 mandates of not less than 1,350 square feet, including required in-classroom restrooms, storage, teacher preparation areas, and wet and dry facilities. The restrooms are self-contained within the classroom, with access from the play area, if possible, and are designed to allow for supervision from all areas of the classroom and play yards. It is divided into two components: a private toilet and a common sink area for washing their hands. A fenced play yard is designed to provide a variety of activities for development of large motor skills with associated impact resistant surfaces where elevated play structures may be located. There is a sink that is needed for science and art projects and for washing hands prior to lunch that is independent of the restroom facility. Mobile bookshelves are provided for the storing of manipulatives, small books, and group activity supplies. There are also “cubbies” for the students to store their coats, backpacks, and other treasures. Tables, if desired, are 2 feet by 4 feet, can be arranged into various configurations, and collapsible into storage areas to support additional group space when needed for classroom activities. Seating is stackable and provided at a size appropriate for Transitional Kindergarten/Kindergarten aged students. “Puzzle piece” shaped desk with ergonomic seating may be used in general or to promote small-grouped activities when combined to allow for a larger surface area.

Sliding markerboards are installed to cover approximately forty-five (45) to sixty-five (65) percent of classroom wall surfaces, including those that can slide to the side to reveal outdoor windows or storage spaces with the same capacity as existing cabinets and storage solutions currently in use. Marker boards should also be magnetic and support removable adhesive materials to allow for instructors to attach student exemplars where needed for instruction. On walls without markerboards, mineral fiber core tackable panels may be installed to maximize presentation space and help modulate acoustic reverberation. The classroom includes a teaching station and a multimedia presentation shuttle so that the teacher can maneuver easily around the room. Broadband-connected high-definition displays are attached to hydraulic wall mounts which allow easy adjustment of the displays' viewing angle and height to allow students to view content from any point in the room. Media interface devices, students, and teachers can project content from a computer or mobile device to the mounted displays as needed.

Proposed Site Location

Figure 2 provides the proposed locations for the new classrooms to be constructed at Alila Elementary. The nine new Title 5 compliant classrooms are planned to be constructed on the northeastern side of the school site adjacent to the bus drop-off and general parking lot on Fruit Road. The proposed location is bounded by the adjacent solar array and the existing six portables in the area that will ultimately be removed as discussed below to improve access. The facilities would be further setback from the adjacent property line along Fruit and benefit with a closer location to the adjacent cafeteria and shade structure. The new classrooms would provide three rooms for preschool (PS), three rooms for transitional kindergarten (TK), and three rooms for kindergarten (K). The nine new classrooms will be designed as an integrated early childhood education village with surrounding and dedicated new play areas for PS and TK/K children.

Figure 2: Proposed Locations for New Preschool, TK, and K Classrooms



When constructed, the classrooms will form a modified “L” shape design with the playgrounds serving the entire length of the classrooms. Three of the classrooms would be setback from Fruit Road just north of the existing bus drop-off and general parking lot. The remaining six classrooms would be placed in parallel and along the eastern edge of the existing solar array. The intersection of the classroom wings would create

a courtyard area and a security perimeter from the adjacent unimproved roadway and neighboring residential area. The playgrounds would be established under the current existing solar array just west of the location, providing protection from inclement weather and shade area in compliance with Title 22 and Title 5 State requirements.

Existing improvements will be maintained or adjusted as necessary. The existing bus drop-off will remain in the parking lot along Fruit Road with extended access, fencing and drop off to the early childhood education village as needed. Other circulation, utilities, pathways, and landscaped areas will be redesigned to accommodate the proposed project and use. Prior to the start of construction, the after school and related programs within the six existing portable classrooms would need to be relocated to other vacant facilities at the site. Currently, the school has fourteen classrooms above the required capacity to house existing students. At the start of construction, these facilities would be demolished.

Project Budget and Schedule

The total project budget is \$8,117,333 and represents the total “all-in” budget for the project less a 10% project reserve for unforeseen project increases and inflation. The “all-in” budget is inclusive of both hard (construction) and soft costs (design and planning professional services and fees). DSA and CDE approval of the design plans must be achieved prior to October 26, 2023.

- **Anticipated Board meeting to approve professional services contract (subject to change):** March 2023
- **DSA/CDE Submittal:** June 2023
- **DSA/CDE Approval:** October 2023
- **Earliest Bidding/Start Construction:** December 2023
- **Earliest End Construction:** December 2024

The anticipated schedule is subject to adjustment based on the timing and processing of administrative approvals, prevailing market conditions, weather and environmental conditions, and unforeseen site conditions.

IV. SUBMITTAL FORMAT AND REQUIREMENTS

Prequalification: There is a Prequalification component to this RFQ/P which is described in detail in **ATTACHMENT A ([Link to Prequalification Instructions and Forms](#))**. Please reference this document for detailed instruction and scoring process for evaluation.

ALL PREQUALIFICATION DOCUMENTS ARE DUE BY 1:00 P.M., ON FRIDAY, MARCH 10, 2023

RFQ/P Response: Firms responding to the project are required to prepare a response to this RFQ/P that includes general information about the firm’s qualifications as well as a proposal that assesses and evaluates the conceptual design of the project as to construction recommendations, logistics, cost, value engineering, and schedule.

Firm Qualifications: submittals are required to provide a response regarding the firm’s capabilities, prior experience, and past projects. This information should include, but need not be limited to, the following:

- A. Provide three (3) or more references of new elementary school projects or similar facilities as examples of the Firm's experience on projects such as this with respect to size and complexity.
- B. Description of size of Firm with respect to the number of personnel by management category. Please provide an organizational chart identifying the key staff members assigned to each role and their level of experience on projects such as this.
- C. Description of the Firm's practices for managing project schedules, budgets, subcontracts, change orders, project documents, and other construction issues. Provide a description of the Firm's project control systems. Sample project specific progress reports are encouraged for inclusion in the Firm's response to this question (not counted toward page limit of the RFQ/P).
- D. Provide a description of the Firm's safety record and Experience Modification Rating (EMR).
- E. Provide a letter from the Firm's bonding company on their letterhead that states the bonding capacity of the Firm.

Proposal: Submittals are required to include a response to the following site-specific questions for the project. This information should include, but need not be limited to, the following:

- F. Review of the conceptual plans for the Project, providing at minimum:
 - 1. A narrative identifying any potential construction issues or other challenges that may arise during the project and proposed solutions to ensure that said challenges do not create unnecessary delays or added cost to the project.
 - 2. A conceptual site logistics plan identifying site access, parking for contractors, access for delivery and storage of materials, and provisions for the safety of students and faculty.
 - 3. A conceptual cost estimate, demonstrative of the firm's estimating capability, for the project as specified and as conceptually proposed in uninflated 2023 dollars.
 - 4. Detailed proposal of the Firm's pre-construction fee and how it would be broken down based on the deliverables identified in the Form Preconstruction Services Agreement.
 - 5. Detailed breakout of the factors or elements that are anticipated to comprise the calculation of a future "Guaranteed Maximum Price" (GMP) including the above conceptual estimate of direct construction costs as well as an anticipated break-down of overhead, general conditions, markups, insurance, bonds, and fees.
- G. Brief description of 2-5 value engineering opportunities that the Firm would propose to keep the project within the proposed budget identified herein.
- H. Identification of trades that the firm will propose bidding and those that the firm proposes to self-perform. Also include trade contractor costs, self-performance costs, general contracting requirements, contractor soft costs (without fee), contractor fee and GMP allowance and contingency. Respondents should put forth proposals that clearly identify estimations of costs of work to be self-performed, as well as estimations of costs to be performed by sub-contractors. The intention is that the cost estimations and work plan provided clearly identify a breakdown of the respondents' overhead costs, and not just a lump sum. The expectation is a breakdown of anticipated overhead costs that clearly defines the general conditions, bonds, insurance, fee, and other costs to provide the District information necessary to select a firm that provides the best value.
- I. Description of the Firm's approach to keeping the project delivered on schedule, while minimizing impact on existing school facilities and neighboring communities throughout construction. Please provide a proposed Project schedule that demonstrates this approach, including preconstruction milestones that the Firm will help to establish to optimize the construction phase.

RFQ/P Response Format:

Responses shall be concise, well organized and demonstrate respondent's qualifications and proposed approach to the project. Each response should have a single cover letter briefly discussing the firm's conceptual understanding of the project and an executive summary of the proposal.

Limit response for the *Firm Qualifications* requested to no more than ten (10) single sided 8 ½ x 11 pages. *Firm Qualifications* includes the cover letter indicated above. For the *Proposal* requested, limit response for the project to no more than ten (10) single sided 8 ½ x 11 pages. In total, the Firm Qualifications and Proposal is limited to a grand total of twenty (20) single sided 8 ½ x 11 pages.

Excluded from the page count limitation are pages exclusively used for layout and organization of the submittal package (e.g. front and back covers, table of contents, tabbed dividers, etc.) as well as sample materials representative of prior project work included as addenda (e.g. schedules, progress reports, graphics, etc.). Also excluded from the page count limit are materials indicated for prequalification.

Submit five printed proposals to:

EARLIMART SCHOOL DISTRICT
C/O Caldwell Flores Winters, Inc.
521 N. 1st Avenue
Arcadia, CA 91006

Respondents must also transmit one (1) PDF copy via email to ascott@cfwinc.com

The printed and email copies are due by no later than:

Friday, March 24, 2023 at 1:00 PM

Please be advised that the District reserves the right to decline all responses and to amend, abandon, or modify the Project or the method of delivery at its sole discretion in whole or in part.

V. METHOD OF SELECTION

The District's Selection Committee shall review and evaluate all responses received by the deadline. Each Firm will be evaluated based on the Evaluation Criteria identified in Section VIII. Based on these criteria and rating system, points are assigned to each Respondent, with each respondent ranked according to the average total points awarded by members of the Selection Committee. Failure to satisfy a pass/fail requirement will result in the immediate rejection of the proposal. Final point totals of all respondents will be considered to determine the best value for the School District.

The firm determined to have the best value for the District for the project will be invited to perform Lease Lease-Back preconstruction and construction services for the project. Following the completion of Preconstruction services, and at the discretion of the District, the selected firm may be recommended to the Board for entering into a Lease Lease-Back Construction Services Agreement for the project. The District retains the right in its sole discretion to reject all submittals or revise this request for said services.

VI. SUBMITTAL EVALUATION CRITERIA

Pursuant to District Board Policy (BP) and Administrative Regulations (AR) 3311, proposers shall be selected based on total best value score as determined by the District, based on the following evaluation criteria and rating system provided in the table below:

EVALUTION CRITERIA	MAXIMUM POINTS
Follows page length and layout direction and includes requested document attachments as described by the RFQ/P	Pass/Fail
Experience with the local environment and a local presence for interfacing with the District	Pass/Fail
Provides germane and relevant responses to questions contained within the RFQ/P	25
Details a proposed method and overall strategic approach	25
Proposed detailed estimate of the Firms(s) costs, including direct construction costs and break-down of overhead, general conditions, markups, insurance, bonds, and fees	15
Demonstrates specialized experience and technical competence of the Firm(s), including principals, joint venture-partners, and sub-consultants regarding the types of service required and the complexity of the projects	15
Relevant experience of key personnel	5
Overall financial condition of the firm, including the principal contractor and/or contractor team	5
Ability to meet the insurance requirements unless district, at its sole discretion, decides to modify or waive the insurance requirements or elects to provide program insurance	5
Litigation and arbitration history for the past five (5) years	5
TOTAL: 100 POINTS	

VII. SELECTION SCHEDULE

The following is a proposed schedule for selection. The District reserves the right to modify this schedule in its sole discretion.

Request for Qualifications/Proposals Released: **Monday, February 27, 2023**

Deadline to submit questions related to project: **Monday, March 6, 2023 at 1:00 p.m.**

Prequalification Submittal Due: **Friday, March 10, 2023 at 1:00 p.m.**

Announcement of prequalified firms: **Friday, March 17, 2023**

Responses due: **Friday, March 24, 2023 at 1:00 p.m.**

Interviews: **Week of March 27, 2023 or thereafter**

Firm Ranking Established: **Friday, March 31, 2023**

Board approval: **April 18, 2023**

If interested parties wish to visit the school site, all coordination must be through the Art Scott, Program Manager, ascott@cfwinc.com (626) 829-8300.

VIII. GENERAL INFORMATION

A. Compliance

Submittals must be in strict accordance with the requirements of the request for services. Any response not submitted in accordance with the requirements of the request for services will not be considered.

B. Amendments

The District reserves the right to cancel or revise in part or whole this request for services. If the District cancels or revises this request for services, all respondents will be notified by addendum. The District also reserves the right to extend the date responses are due.

C. Inquiries

All questions about the meaning or intent of this request for services shall be submitted to the District's Program Manager, CFW, in writing via letter or email no later than **Monday, March 6, 2023 at 1:00 p.m.** Responses to all questions received may be issued at the District's discretion by addendum via email to all parties recorded by CFW as having received this document. Questions received after the **March 6, 2023** deadline will not be answered. If interested parties wish to visit the school site, all coordination must be through the Art Scott, Program Manager, ascott@cfwinc.com (626) 829-8300.

D. Late Response to Proposals

It is the respondent's responsibility to ensure its response to this request for services is received by the District's Program Manager on or before the time and date specified. Submittals received after the date and time specified will not be considered.

E. Special Conditions

1. **Public Record.** All Responses submitted in response to the request for services become the property of the District's public records and as such, might be subject to public view.
2. **Non-Discrimination.** The District does not discriminate on the basis of race, color, national origin, religion, age, ancestry, medical condition, disability or gender in consideration for an award of contract.
3. **Drug-Free Policy and Fingerprinting.** The selected Firm(s) shall be required to complete any and all fingerprinting requirements and criminal background checks required by State law and shall also be required to complete a Drug-Free workplace certificate.
4. **Costs.** Costs of preparing a response to this request for services are solely the responsibility of the respondent.
5. **Prevailing Wages.** Respondents are advised that these projects are a public work for purposes of the California Labor Code, which requires payment of prevailing wages. District will obtain from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work. These rates will be on file at the District and will be available to any interested party upon request. Any Firm(s) to which a contract is awarded must pay the prevailing rates, post copies thereof at the job site, and comply with applicable provisions of State law.
6. **Securities.** Respondents are advised that if awarded a contract they will be permitted, at their request and expense and in accordance with Section 22300 of the California Public Contract Code, to substitute securities equivalent to retention monies withheld by District to insure performance under the contract.
7. **Contractor Registration.** No contractor or sub-contractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations (DIR) pursuant to Labor Code Subsection 1725.5.
8. **Contractor Prequalification.** A proposer must be prequalified in accordance with subdivisions (b) to (m), inclusive, of Section 20111.6 of the Public Contract Code. In addition to this requirement, all responding firms are required to complete the attached Prequalification Questionnaire. These prequalification requirements shall be included in a Lease Lease-Back instrument created pursuant to California Education Code Section 17406(a)(1).

9. Prequalification of Designated Subcontractors. Contractors holding C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 licenses (collectively, “MEP subcontractors”) shall be prequalified to perform construction work as a first-tier subcontractor on the Project pursuant to Public Contract Code section 20111.6. MEP subcontractors must be prequalified prior to negotiation and acceptable of a Guaranteed Maximum Price (GMP).
10. Bonding. The Firm(s) will be required to furnish a Performance Bond in the amount of one hundred percent of the contract price, and a Payment (Material and Labor) Bond in the amount of one hundred percent of the contract price.
11. Limitations. This request for services does not commit District to award a contract, to defray any costs incurred in the preparation of a response pursuant to this request for services, or to procure or contract for work.

IX. HOLD HARMLESS/INDEMNIFICATION

The Firms shall indemnify, defend, and save the District, its Board of Trustees, officers, agents, and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney’s fees and costs, incurred in connection with or in any manner arising out of the Firms’ performance or failure to perform any duties contemplated by this request for services or subsequent agreement.

The responding Firms and their employees are not employees of the District and are deemed to be independent contractors. Nothing contained in this request for services or subsequent agreements shall be deemed to create any contractual relationship between the Firms and any of the other contractors or material suppliers for the Program, nor shall anything contained in this request for services or subsequent agreements be deemed to give any third party any claim or right of action against the District or Firms which do not otherwise exist.

X. CONSTRUCTION SERVICES RELATED AGREEMENTS

The following links provide interested firms with copies of the Earlimart School District’s form construction services related agreements:

- A. [Prequalification Questionnaire](#)
- B. [Form Construction Services Agreement](#)
- C. [Form Site Lease](#)
- D. [Form Sub Lease](#)

Any questions or concerns regarding the above form agreements should be addressed in writing to Art Scott, Program Manager via email: ascott@cfwinc.com by **Monday, March 6, 2023 at 1:00 p.m.**

ATTACHMENT A
Earlimart School District

Prequalification Questionnaire

ATTACHMENT B
Earlimart School District

Form Construction Services Agreement

ATTACHMENT C
Earlimart School District

Form Site Lease

ATTACHMENT D
Earlimart School District

Form Sub Lease