

 <p>Berkeley Unified School District</p>	ADDENDUM #2
	Washington ES - Modernization Project #2024-04-04
	Date: April 19, 2024

**ADDENDUM TO BID DOCUMENTS**

**The following clarifications are provided based on questions received or changes in District requirements and must be added/considered when completing your submittal:**

Acknowledgement of receipt of this *ADDENDUM* is required in the bid form. Please clearly note the addendum date and number.

**CLARIFICATIONS:**

Question 1: Please provide the scoring matrix and the list of short listed contractors for interviews as well as the final scoring matrix once completed at your earliest convenience.

**Answer 1:** *Scoring matrix is included in the RFP. Refer to page 17 of 19. Respondents will be informed of the shortlist on May 7th as listed in the RFP schedule on page 2 of 19.*

Question 2: The RFP package provided is 28 pages and appears to be missing Appendix C-4, Appendix C-5, and Attachment 1. Please provide missing documents.

**Answer 2:** *Appendix C-4 and Attachment 1 are included with this addenda. Appendix C-5 is not required. Delete line VI, A, 4, o. on page 11 of 19 in the RFP.*

Question 3: Assuming Attachment 1 is similar from other RFP submissions for the District, can you provide clarification or definition on Construction Phase – Management Fee and what this is include and/or represent?

**Answer 3:** *Refer to the included Attachment 1*

Question 4: Can you please elaborate on what item J. is asking? *Tab 6 – Prior Relevant Experience For the projects listed, above, be sure to include the following information: J. Include examples of other similar project assignments on the part of the respondent.*

**Answer 4:** *Delete item J. under Tab 6.*

Question 5: Does the modernization of the 1<sup>st</sup> & 2<sup>nd</sup> floor need to be complete Summer 2025?

**Answer 5:** *No, the addition must be completed before the work on in the administration area can be completed.*

Question 6: Has the laydown & staging area been identified for the contractor?

**Answer 6:** *No, staging and laydown areas for the contractor will be limited to space available on the site. The goal is to minimize the amount of laydown space required and each contractor shortlisted will be asked to provide a logistics plan as part of their presentation. The logistics plan will need to include the requested staging and laydown the contractor requires to complete the project.*

Question 7: Would like to confirm if this question is necessary in our submission or pulled over from a past modular project: *Tab 6 – Prior Relevant Experience d. Identify and include a discussion on Respondent’s experience with modular construction.*

**Answer 7:** *Respondents may delete this requirement from their submission but may (at their discretion) include any relevant modular construction in their project experience.*

Question 8: Tab 8 – Pricing and Contingency: Items 4 and 5 are duplicated. Please advise if one just needs to be removed or if additional information is necessary.

**Answer 8:** *Refer to the included Attachment 1*

Question 9: We are unable to locate the below referenced Attachment 1 – Price Proposal.: Tab 8 – Pricing and Contingency Include your fee calculations on Attachment 1 – Price Proposal.

**Answer 9:** *Refer to the included Attachment 1*

Question 10: The Special Conditions (Exhibit D-1) mentions an OCIP under item 10. Could you please confirm there is an OCIP on this project?

**Answer 10:** *Respondents may disregard section 10, under Exhibit D-1 as Berkeley Unified School District does not hold an OCIP.*

**END OF ADDENDUM #02**

**APPENDIX C-4**

**FEDERAL DEBARMENT CERTIFICATION**

1. Bidder certifies to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or Board;
  - b. Have not within a three-year period preceding this bid been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

2. Where Bidder is unable to certify to any of the statements in this certification, Bidder shall attach an explanation to this certification.

3. Bidder agrees to include the following certification in all subcontracts, for all lower tiers:

*"Debarment and Suspension Certification – By submission of its proposal, the contractor (or vendor, or consultant, depending on the transaction) certifies to the best of its knowledge and belief that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency in accordance with 2 CFR 200.213 and 2 CFR 180."*

Date: \_\_\_\_\_

Name of Developer: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

# ATTACHMENT 1 – FEE SCHEDULE AND GENERAL CONDITIONS

(REVISED 04/18/2024)

<b>Fees</b>	<b>Fee Percentage</b> (Fee as a % of Direct Construction Cost Budget)	<b>Fee in Dollars</b> (Fee % multiplied by Direct Construction Cost Budget)
<b>Preconstruction Services</b> Parties will negotiate and agree upon applicable hourly rates and a not-to-exceed amount for preconstruction services based on the estimated project cost and the Firm’s proposed fee for preconstruction services.		
<b>Construction Phase - Management Fee</b> LLB’s Site Management Fee		
<b>Construction Phase - General Conditions</b> LLB’s General Conditions and general requirements, including but not limited to temporary facilities, utilities, structures, fences, dust control, wayfinding, scheduling, noise control, environmental related matters, emergency evacuation routes, security, safety, traffic control, scaffolding, and SWPPP.		
<b>Construction Phase - Overhead and Profit</b> LLB’s Overhead & Profit - supervision of subcontractors and other management responsibilities, and employees/labor (including but not limited to wages, salaries, benefits) for any work performed by the Contractor.		
<b>Construction Phase - Construction Contingency</b> LLB’s contingency for the construction phase		
<b>Bonds and Insurance</b> Including but not limited to payment and performance bonds.		
<b>All Other Costs</b> All other costs incurred in performance of Contractor’s obligations under the terms of the LLB Contract Documents, including but not limited to the Site Lease and Facilities Lease.		
<b>Total LLB Fees</b>		

The pricing will be evaluated based on the: (1) preconstruction services cost or method of calculation; (2) Respondent’s fee (3) general conditions cost; (4) construction contingency; (5) Overhead and Profit; (6) bonds and insurance percentage; (7) all other costs; and (8) allowances if any.

**Assume Direct Construction Cost to be: \$6.8 million**

END ATTACHMENT 1