

Facilities Assessment & Long Range Capital Plan, FY 2023

NEWMARKET SCHOOL DISTRICT REQUEST FOR PROPOSAL

Facilities Assessment & Long Range Plan, FY 23

DEADLINE FOR RECEIPT OF PROPOSALS: **March 9, 2023 3:00 PM**

FACILITIES ADDRESSES:

**Newmarket Elementary School
243 South Main Street
Newmarket, NH 03857**

**Newmarket Junior Senior High School
213 South Main Street
Newmarket, NH 03857**

**Newmarket School District-Annex
218 South Main Street
Newmarket, NH 03857**

PROPOSAL SUBMITTAL ADDRESS:

**Newmarket School District
Attn: Janna Mellon, Bus. Admin
186A Main Street
Newmarket, NH 03857**

School Administrative Unit #31- Newmarket School District ("District") is issuing this request for proposals ("RFP"), for the purpose of obtaining Proposals from qualified Contractors ("Contractors") to provide a Facilities Assessments and Long Range Plan for the District's three buildings.. The scope of work is described in the additional notes included in this RFP (Attachment A).

TERMS AND CONDITIONS:

1. **BID ACCEPTANCE:** The Newmarket School District reserves the right to accept or reject any and all bids or proposals received or any parts thereof for any reason whatsoever, to waive any informalities in any bid or proposal or in any provision in the request for bids or proposals, to negotiate with any or all proposers, to require a modification of the RFP at any time, and to select the proposer whom, the District, in its sole discretion determines is in the best interests of the District even though the proposer may not submit the lowest bid or proposal. Under no circumstances will the District be responsible for the cost of preparing any bid or proposal.

BIDDER'S INITIALS: _____

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2. FINAL BID PRICE: If the bidder has any special payment or delivery clauses which could affect the final delivery price of an item or service for bid, that too shall be made part of the bid. If, however, this is not included in the bid, the bidder will be solely responsible for any increased prices due to any circumstances.
3. NON-TRANSFERRING OF AWARD: No bidder will be allowed to assign the contract.
4. REQUIRED COMPLETION DATE: All work must be complete prior to **August 31, 2023**, unless an extension is agreed upon and pre-authorized in writing by the District. Installation dates to be planned and scheduled in advance to minimize disruption to staff working in the building.
5. OPTIONAL FACILITIES WALK-THROUGH: While not required, it is highly recommended that submitters attend a scheduled walk-through of our facilities on **Tuesday, February 28, 2023 at 3:00 pm** (snow date Wednesday, February 29, 2023 at 3:00 pm). Submitters should meet at the Annex Building, located at 218 South Main Street (small building across from the Newmarket Junior Senior High School) at 3:00 pm. Should you have any questions about this walk-through please contact David Reilly at 603-770-0193 or via email at reillyd@newmarket.k12.nh.us.
6. LATE PROPOSAL/BIDS: ONLY SEALED PAPER BIDS will be accepted. **No late bids will be accepted after 3:00 pm March 9, 2023**. Any bids received after the specified date and time will not be considered, nor will late bids be opened.
7. PAYMENT TERMS: SAU 31-Newmarket School District will pay the selected Contractor within thirty (30) days following receipt of invoices.
8. WITHDRAWAL OF BIDS/PROPOSALS: Proposals may be withdrawn prior to the opening date and time upon written request of the Bidder. Negligence on the part of the Bidder in preparing his/her proposal shall not constitute a right to withdraw a bid subsequent to the bid opening.
9. PRICING: Unless otherwise specified, all prices listed are firm for the term of the contract. All prices should include all labor and material costs, and any discounts offered.
10. BID RESULTS: The SAU Business Office will not respond to phone inquiries for bid results. Individuals or company representatives may attend a bid opening which is open to all interested parties or by emailing for a summary of the bids. Bid award results will only be released to parties via email once the Newmarket School Board has been notified and awarded the bid. The bids and proposals are governmental records and shall be available to the public under the Right-to-Know Law. The District will not accept bids or proposals marked confidential in whole or in part. All concepts, information, and cost savings alternatives presented by the Bidder during the bid selection process shall become the property of the District and shall thereafter be used at the District's sole discretion. The District shall own all instruments of service.
11. CONTRACT REQUIREMENTS:
 - (a) The selection of the Contractor is conditioned upon the Contractor executing an agreement acceptable to the District. In the event the District cannot reach an agreement with the apparently selected Contractor to the District's satisfaction, the District reserves the right to terminate negotiations with no obligation to the apparently selected Contractor and to enter into any agreement with any other party of the District's choosing.
 - (b) The District may at any time terminate the services and/or contract with the Contractor for the District's convenience and without cause. In the case of such termination for the District's convenience, the Contractor

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shall be entitled to receive payment from the District limited to actual documented expenses of the Contractor as of the termination date as its sole remedy. In no event will the District be responsible for lost profits, compensatory or other consequential damages.

- (c) To the fullest extent permitted by law, Contractor shall indemnify and hold harmless SAU 31-Newmarket School District, and the District's officials, agents, employees, and volunteers or any of them from and against claims, damages, losses and expenses, including but not limited to attorneys fees arising out of or resulting from performance of the work provided that such claim, damage, loss or expenses is attributable to bodily injury, sickness, disease or death, or to injury or to destruction of tangible property caused by the negligent and intentional acts or omissions of Contractor, a subcontractor or anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part or by a party indemnified hereunder. The indemnification provision shall survive termination or expiration of this agreement.
- (d) The guaranteed maximum price shall not be exceeded under any circumstances unless the District gives prior written approval to the work and the additional cost of the work prior to the work being undertaken that would form the basis of Contractor's claim to an additional amount over the guaranteed maximum price.
- (e) The District shall retain ten percent (10%) of any progress payment until the final completion and acceptance of the work by the District.
- (f) Changes in the work or the time to complete the work shall be accomplished only by change order. Accordingly, no course of conduct or dealings between the parties, nor any expressed or implied acceptance of alterations or additions to the work and no claim that the District has been unjustly enriched by any alterations or additions to the work whether or not there is, in fact, any unjust enrichment to the work shall be the basis of the claim to an increase in the amounts due.

12. NON-APPROPRIATION CLAUSE: Multi-year contracts entered as a result of this RFP require a non-appropriation clause.
13. INSURANCE: The selected Contractor awarded the bid will be required to submit a certificate of insurance and policy endorsements naming the SAU 31-Newmarket School District as additional insured. Said certificate of insurance must have a minimum liability limit of \$1,000,000.00 for Comprehensive General Liability Combined Single Limit and workers' compensation coverage in accordance with NH State law. The Contractor shall procure and maintain for the duration of this project Workmen's Compensation Insurance as required by State Law for all employees that are engaging in any work at the project site, whether directly employed or subcontracting associates. Upon award of the bid, Contractor will furnish a current Certificate of Insurance to the SAU Business Office no later than 5 business days of receiving notification of bid award, and ***prior to the commencement of any work being performed***. The Newmarket School District shall be named an Additional Insured on the Certificate of Insurance and policy endorsements.
14. All quotations must be signed by an authorized representative of the Contractor.
15. Should a Contractor find discrepancies in or omissions from the specifications, or should he/she be in doubt as to their meaning, the Contractor shall at once notify the District, who will send a written instructions to all Contractors. The District will not be responsible for any oral instructions or addendums. All reference materials provided along with this RFP represent the District's best estimates as to square footage, age of equipment, and condition of facilities. **It is the responsibility of the Contractor to verify and confirm information relative to systems, facilities and condition via independent facilities needs assessments and associated field work.**

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16. Proposals should be prepared simply and economically providing a straightforward, concise description of the Contractor's ability to meet the requirements of the RFP.
17. All work in the District must meet the requirements of all applicable town, local and state codes, laws and ordinances, permits, in addition to any technical societies referenced herein. Contractor shall obtain all required permits and provide copies of the permits to the District.
18. All questions during the bidding period should be directed to David Reilly, Facilities Director. Questions should be submitted by email and will be shared with all potential bidders. Email: reillyd@newmarket.k12.nh.us. Please copy Janna Mellon, Business Administrator at mellonj@newmarket.k12.nh.us. Last opportunity to submit questions shall be **Thursday, March 9, 2023 by 3pm.**
19. Proposal due date is **Thursday, March 9, 2023 by 3pm.** Sealed proposals should be submitted to Janna Mellon, Business Administrator at 186A South Main Street, Newmarket, NH. Please reference **Facilities Assessment & Long Range Plan RFP** in your submittal.
20. The District's decision with regard to the selection of the Contractor shall be considered final.
21. The District reserves the right to investigate the financial responsibility of any and all submitters to determine the ability of the firm and/or individual to assure services throughout the term of the project and to provide insurance that will be required by the District.
22. All reports, supporting schedules, photos, drawings and other information prepared on behalf of the Newmarket School District as part of this project shall be provided to, and become the property of the Newmarket School District upon conclusion of this project.

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Attachment A

Additional Information:

General:

1. Scope of Work shall include:
 - a. Assessment of overall physical condition of property through evaluation of the site, building architecture, and systems.
 - b. Accurate and complete field assessments of each facility and all systems.
 - c. Develop a long-range plan that identifies deficiencies in the facilities and short-term and long-term actions to remedy the deficiencies.
 - d. Creation of a preliminary report consisting of a prioritized 20-year capital needs evaluation in executive and summary form. Report shall include replacement reserve analysis, photographic documentation as well as a graphic presentation showing key observations/findings. Report shall be provided in a .pdf format and shall include all sketches, drawings and other forms of information needed to support the capital needs assessment.
 - e. Joint Review Session to discuss Preliminary Report and findings.
 - f. Final Report to incorporate joint review comments and any modifications to the preliminary report as determined during the Joint Review Session. Final Report shall be in .pdf format, with all supporting schedules, sketches and drawings needed to support final capital needs assessment.

Building Names and Square Footage (approximate):

Building	Approximate Square Footage
NES	85,007 sq feet
NHSHS	129,529 sq feet
Annex Building	1,128 sq feet
Estimated Total Square Footage**	215,664 Square Feet (Estimated)

** Note: These estimates are approximate. See # 14 above.

Bid Form

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Proposal due date is **Thursday March 9, 2023** by 3pm. Sealed proposals should be submitted to Janna Mellon, Business Administrator at 186A South Main Street, Newmarket, NH. Please reference **Facilities Assessment & Long Range Plan RFP** in your submittal.

- I accept that substantial completion is expected by **August 31, 2023**, unless an extension is agreed upon and pre-authorized in writing by the District.
- I acknowledge that this RFP must be returned in its entirety, including the Bid form and all attachments. Each page of the RFP must be initialed by the bidder, where indicated.
- I have read and reviewed both Attachment A (additional information) and all supplemental information which accompanies this RFP.
- I propose to perform the work described in the drawings and Attachment A for guaranteed maximum price as shown below.
 - Any additional / unforeseen work will not be performed without a properly authorized change order.
 - Final price is subject to change upon issuance of final construction documents.

Bid Proposals shall remain valid for thirty (30) days.

Guaranteed Maximum Bid Amount: _____

Name of Company: _____

Address: _____

Email Address: _____

Telephone Number: _____

Authorized Representative Name and Title: _____

Signature of Authorized Representative: _____

Date: _____

Any exclusions, qualifications, or comments:

Have you, or any of the Principals of your company been involved in any litigation, arbitrations, mediations, or administrative proceedings in the past 10 years?

☐ Yes. ☐ No

If yes, please note the details of the claims, attorneys and resolution below.

BIDDER'S INITIALS: _____

Bid Form

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Vendor Qualifications

The proposal shall include all of the following information. Failure to include all of the required information may result in disqualification of a bidder.

1. List of three (3) references including names, addresses, phone numbers and contact persons, of clients for whom you have performed similar services in this proposal.

2. State how long you have been operating under your present company name.

3. Contractor's qualifications, years in business, experience in providing the level and type of service specified in the proposal.
