



Savannah-Chatham County Public School System
208 Bull Street / Savannah, Georgia 31401 / (912) 395-5600

March 1, 2020

Ladies and Gentlemen:

The Savannah-Chatham County Public School System ("SCCPSS") would like to take this opportunity to announce that it is conducting a **Mandatory Prequalification Process for the Construction of a New K-12 Multi-Campus - Request for Qualifications ("RFQ") C20-22**. To be eligible to bid or make a proposal to be awarded a construction contract for the **New K-12 Multi-Campus**, in a separate, subsequent invitation to bid ("ITB") or request for proposals ("RFP") process, prospective bidders or offerors must submit a **Statement of Qualifications ("Qualifications Statement")** in response to this RFQ and must be prequalified as a result.

Enclosed is a Request for Qualifications ("RFQ") packet, which provides instructions for the mandatory prequalification process for prospective bidders or offerors for the construction of the New K-12 Multi-Campus. All Qualifications Statements should either be submitted electronically through the SCCPSS's E-Builder Web Portal located at **RFQ C20-22 - New K-12 Multi-Campus - Supporting Documents** or through a physical copy delivered to the SCCPSS Purchasing Department, 208 Bull Street, Room 213, Savannah, Georgia, 31401.

Qualifications Statements will be accepted no later than **11:00 A.M. on TUESDAY, MARCH 31, 2020**, at which time they will be registered by the Purchasing Department and the SCCPSS will begin its review of the Qualifications Statements to determine which bidders or offerors are prequalified. All bidders or offerors who submit Qualifications Statements will be notified as to whether they have been prequalified or not before any ITB or RFP for the award of the construction contract is published.

Time is of the essence, and any Qualifications Statement received after this deadline for submission, whether electronically, by mail, or otherwise, will not be accepted. Bidders are responsible for ensuring that their Qualifications Statements are timely received and stamped by Purchasing Department personnel, either through E-Builder or manually. The time of receipt shall be determined by the time clock stamp in the Purchasing Department or by the time assigned by E-Builder. It shall not be sufficient to show that a Qualifications Statement was sent, either electronically or by mail, before the scheduled deadline.

All responses submitted in a physical format must be submitted in a sealed envelope with the RFQ 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 Qualifications Statements require additional envelopes, then all packages must be combined together and marked as described above.

Please include with your Qualifications Statements all documents requested by this solicitation, **[including, but not limited to, a copy of your firm's current business license]**. Failure to include all of the information and/or documents requested by this solicitation could result in the Qualifications Statement not being considered by the SCCPSS.

If you have any questions concerning this solicitation, please submit them in writing to **Teresa Jayne Phillips, Purchasing Agent**, 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.

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

Sincerely,


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 Qualifications (“RFQ”): #C20-22
New K-12 Multi-Campus**

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 Statements of Qualifications (“Qualification Statement(s)”) as specified in this **Mandatory Prequalification Process for the Construction of a New K-12 Multi-Campus - Request for Qualifications (“RFQ”) C20-22**.

It is worth noting at the outset that this is mandatory prequalification process pursuant to O.C.G.A. § 36-91-20(f). The District has determined that 1) all of the criteria for prequalification are reasonably related to the project or the quality of the work, 2) the criteria for prequalification are being made available to any prospective bidder or offeror requesting such information, 3) this prequalification process serves as a method of notifying prospective bidders or offerors of the criteria for or limitations to prequalification, and 4) this prequalification process includes a procedure for a disqualified bidder to respond to his or her disqualification to a representative of the SCCPSS. Prequalified bidders or offerors will not later be disqualified without cause, but no prequalified bidder or offeror is guaranteed a future award of any contract.

Vendors who submit a Qualifications Statement in response to this RFQ shall be referred to herein as the “Bidder(s)” or “Offeror(s).” To be considered for prequalification under this RFQ, Bidders should carefully read this solicitation document, which is **Mandatory Prequalification Process for the Construction of a New K-12 Multi-Campus - Request for Qualifications (“RFQ”) C20-22**, and all of the forms or other materials that may be attached hereto or referenced herein. This RFQ and the associated documents contain the instructions for preparing and submitting Qualifications Statements in response to this RFQ, and outline the process by which the District will prequalify Bidders for a future competitive process for the award of a construction contract for the Construction of a **New K-12 Multi-Campus**.

II. GENERAL TERMS AND CONDITIONS FOR THIS ITB

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

A “Cone of Silence” is imposed upon this RFQ 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 Bidder for this solicitation, including any persons affiliated with or in any way related to a prospective Bidder, 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 Bidder or Bidders and to prevent prospective Bidders from circumventing the process for selection set forth in this ITB.

The Cone of Silence does not apply to oral communications with the Director of Purchasing, or the Director of Purchasing’s designees, at pre-bid conferences, site visits (as applicable), presentations before selection committees, contract negotiations with bidders 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 bid 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 bidder(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.

In addition to any other penalties provided by law, violation of the Cone of Silence by any bidder may result in the rejection of the bidder's Qualification Statement and disqualify the bidder 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 Construction Project For Which the District Is Seeking Mandatory Prequalification

This RFQ seeks to prequalify firms to submit bids or proposals for the construction of a **New K-12 Multi-Campus** located at **100 Priscilla D. Thomas Way, Garden City, GA 31408**. The project will consist of a new multi-level 2400 FTE K-12 school approximately 400,000 square feet in size including parking and drives..

Demolition of the existing buildings, school athletic fields and facilities including a 3,000 seat football stadium are scheduled to be constructed under other Owner contracts. The existing Groves High School will be relocated for construction of the new facility. Occupancy of the new school building is scheduled for August 2023.

The preliminary budget for the construction is \$95,000,000.

LS3P Architecture has been selected as the school architect. The design team is currently completing schematic design.

The project is part of the current District Wide ESPLOST III construction program.

C. The Advertising Dates for this RFQ.

This RFQ is being advertised on the Purchasing Department page of the District website www.sccpss.com, from **Sunday, March 1, 2020** and on the Georgia Procurement Registry (GPR) from **Sunday, March 1, 2020** until the deadline for submitting Qualification Statements.

This RFQ is also being advertised in the Savannah Morning News, the newspaper for legal notices in Chatham County, on the following dates:

**Sunday, March 1, 2020 and
Sunday, March 15, 2020**

D. No Conferences Before Submission of Qualification Statements

No conference will be held before the submission of Qualification Statements. However, optional or mandatory pre-bid or pre-proposal conferences will likely be held in connection with a subsequent ITB or RFP process for the potential award of a construction contract for the **New K-12 Multi-Campus**. Failure to attend a future, required conference may constitute cause for later disqualifying a bidder or offeror who is otherwise prequalified as a result of this RFQ.

E. The Deadline for Submitting Qualification Statements in Response to this RFQ.

Bidder must submit any Qualifications Statements in response to this RFQ, either electronically through E-Builder or by delivery of a physical copy to the purchasing office, unless extended by the District, no later than:

11:00 a.m. on Tuesday, March 31, 2020

Time is of the essence, and any Qualifications Statement received after this deadline for submission, whether electronically, by mail, or otherwise, will not be accepted. Bidders are responsible for ensuring that their Qualifications Statements are timely received and stamped by Purchasing Department personnel, either through E-Builder or manually. The time of receipt shall be determined by the time clock stamp in the Purchasing Department or by the time assigned by E-Builder. It shall not be sufficient to show that a Qualifications Statement was sent, either electronically or by mail, before the scheduled deadline.

This deadline may be extended for all prospective bidders 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 RFQ or the associated specifications, a total absence of Qualifications Statements, District closure due to inclement weather, etc. The Director of the Purchasing Department will either extend the deadline for all bidders or not all.

Bidders may withdraw Qualifications Statements at any time up to the scheduled time for receipt of Qualifications Statements. Bidders may resubmit Qualifications Statements prior to the scheduled time for receipt of Qualifications Statements.

Care should be taken to ensure that information provided in Qualification Statements is accurate, complete, and consistent. Omission of any of the required information may subject the Bidder to disqualification. The District reserves the right to request information or respond to inquiries for clarification purposes only.

F. Delivery and Submission of Qualifications Statements.

Bidders shall timely deliver bids electronically or by submitting a physical paper copy to the Purchasing Department.

Electronic submission may be accomplished through the District's online E-Builder web portal, which may be accessed at no charge by all prospective bidders at **RFQ C20-22 - New K-12 Multi-Campus - Supporting Documents** . The E-Builder web portal will allow bidders to fill in the forms required by the RFQ in an electronic format and allow bidders to upload any supporting documents in the PDF format that bidders wish to submit.

Physical (paper) submission may be accomplished by delivery in person, by mail, or by a commercial delivery service, such as Federal Express or UPS, to the following address:

**The Savannah Chatham County Public School System
Purchasing Department
208 Bull Street
Room 213
Savannah, Georgia, 31401**

G. Receipt and Review of Qualifications Statements

Qualifications Statements shall be time-stamped by the Purchasing Department upon receipt, either automatically through E-Builder or manually for paper submissions. The time of receipt shall be determined by the time clock stamp in the Purchasing Department or the time assigned by E-Builder. After the deadline for submissions of Qualifications Statements has past, they will be registered by the Purchasing Department and SCCPSS will begin its review of the Qualifications Statements and determine which bidders or offerors are prequalified. All bidders or offerors who submit Qualifications Statements will be notified as to whether they have been prequalified or not before any ITB or RFP for the award of the construction contract is published.

H. Submission of Qualifications Statements Required to Participate in a Future Competitive Process for Award of a Construction Contract for the New K-12 Multi-Campus.

Submission of a Qualifications Statement in response to this RFQ and subsequent prequalification by the District are mandatory prerequisites for a Bidder to be able to compete in a future competitive process for the award of a Construction Contract for the **New K-12 Multi-Campus**.

I. Submission of Qualifications Statements Does Not Commit Bidders to Participate in a Future Competitive Process for the Award of a Construction Contract for the new K-12 School.

Although submission of a Qualifications Statement and successful prequalification are prerequisites to participating in a subsequent competitive process for the award of a construction contract for the **New K-12 Multi-Campus**, a Bidder that submits a Qualifications Statement is not required to submit a bid or proposal in any subsequent competitive process for the award of a Construction Contract for the **New K-12 Multi-Campus** and may choose not to participate in any such process.

J. Form and Formatting of Qualifications Statements.

The form and formatting of Qualifications Statements requires Bidders to complete and return all of the forms and supporting documentation requested by this RFQ by the submission deadline set forth above.

K. Pre-Qualification Requirements

To be pre-qualified for the new K-12 construction project, Bidders must provide all the requested documentation and demonstrate they can meet all of the following mandatory, pre-qualification requirements to the satisfaction of the District.

1. Bidder must be authorized to transact business in Georgia.

While any lawful form of business may be prequalified for the New K-12 Multi-Campus project, Bidder must demonstrate that it is a legal entity authorized to transact business in the State of Georgia.

If the Bidder is a corporation or limited liability company (LLC), Bidder shall provide a copy of a current Annual Corporate Registration issued by the State in which the Bidder is incorporated and, if Bidder is not a Georgia domestic corporation, a certificate showing that it is a foreign corporation or LLC authorized to transact business in Georgia.

If the Bidder 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 Bidder's Qualifications statement. 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 Bidder is a partnership or joint venture between two existing business entities, including, but not limited to, a corporation or LLC, then all partners 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 ITB. If the District determines that the form of the Bidder's business, including a partnership or joint venture, was not created for a legitimate business purpose, could impair the Bidder'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 Bidder and determine that it is not responsible.

2. Bidder must be licensed to perform construction work in Georgia.

Bidder must be licensed to perform construction work in the State of Georgia and should produce a copy of its construction license.

3. Bidder must provide a Federal W-9 Tax Form

Bidder should also provide a copy of its most recent Federal W-9 Tax Form, showing its Federal Tax Id. Number and Certification

4. Bidder must demonstrate past experience that satisfies the District that the Bidder has the experience and capacity to build a K-12 School with a construction budget of \$95,000,000.

Bidder must be in the business of construction and have a past history of being the prime contractor (not a subcontractor) on large construction projects, including but not limited to schools, hospitals, office buildings, or other public buildings, that satisfies the District that Bidder has the experience and capacity to build a K-12 school with an estimated construction budget of \$95,000,000. To demonstrate the Bidder's past experience, the Bidder shall provide the District with a list of its five (5) largest construction projects in terms of dollar value and state:

- 1) the Project Owner (entity name, a contact name, and contact phone number),
- 2) the Project Name
- 3) the Type of Building (school, hospital, office, etc)
- 4) the Size of the Building (in square feet)
- 5) the Project Address (Street, City, State, Zip)
- 6) the Original Project Budget
- 7) the Actual, Final Project Cost
- 8) the Construction Start Date
- 9) the Actual Completion Date

In evaluating a Bidder's past experience, the District will comply with O.C.G.A. § 36-91-23. This statute allows, but does not require, the District to disqualify Bidders if the cost of the new K-12 Project (which has a projected cost of \$95,000,000) is more than 30% greater in cost than the Bidder's largest prior project. In compliance with this statute, the District has determined that a bidder who has never served as the prime contractor for the construction of a building with a budget of at least \$65,000 will not be considered to have had sufficient similar past experience to be prequalified for this project.

5. The Bidder must be able to demonstrate an ability to obtain a bid bond not less than \$4,750,000.

The Bidder must provide a letter from a surety company authorized by law to do business in the state of Georgia pursuant to a current certificate to transact surety business in Georgia by the Georgia Commissioner of Insurance stating that the Bidder has the capacity to obtain a bid bond in an amount not less than \$4,750,000, which is 5% of the estimated \$95,000,000 cost of the new K-12 Project.

6. The Bidder must be able to demonstrate an ability to obtain payment and performance bonds in the full amount of the new K-12 Project (\$95,000,000).

The Bidder provides a letter from a surety company authorized by law to do business in the state of Georgia pursuant to a current certificate to transact surety business in Georgia by the Georgia Commissioner of Insurance stating that the Bidder has the capacity to obtain payment and performance bonds in the full amount of the new K-12 Project, \$95,000,000.

7. Satisfactory Civil Litigation and Criminal History.

The Bidder must have a satisfactory civil litigation and criminal history, as determined in the discretion of the District. To evaluate the Bidder's civil litigation and criminal history, Bidder shall

1. List any criminal penalties imposed on Bidder or of any person, subsidiary, or affiliate of the Bidder, arising out of obtaining, or attempting to obtain a public contract or private contract to subcontract part of a public contract, or in the course of performing such contract or subcontract in the last twenty (20) years.

2. List any criminal penalties imposed on Bidder or on any person, subsidiary, or affiliate of the Bidder 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 Bidder in the last twenty (20) years.
3. List any civil litigation alleging that Bidder failed to complete a construction project on time, performed defective work, or otherwise breached a construction contract in the last ten (10) years.
4. List any civil litigation alleging that Bidder injured any person or caused any property damage in the performance of construction work or as a result of defective construction work in the last ten (10) years.
5. List any prior suspensions or debarments that would prevent Bidder from bidding on any public works construction projects by any federal, state, or local government entity in the last ten years (10) years.

8. Bidder Must Demonstrate a Willingness to Comply with O.C.G.A. § 13-10-91 and E-Verify

Bidders must demonstrate a willingness 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. Bidder may accomplish this by providing 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 RFQ, Bidders 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.

L. The District's Reservation of Rights to Cancel this RFQ, to Amend the RFQ Process, to Disqualify Bidders, and to Waive Irregularities and Technicalities.

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, may cancel this RFQ at any time before the District prequalifies any Bidders. Regardless of whether any Bidders are prequalified, the District may decline to proceed with the construction of the **New K-12 Multi-Campus** or may decide to use a different or new process to prequalify bidders or solicit bidders or offerors for the project

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, reserves the right to amend this RFQ and all attachments in any way and at any time (without cancelling it in its entirety) before the deadline for the submission of Qualifications Statements. Any addenda amending this RFQ will be made available to all Bidders 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 RFQ in any way after the deadline for the submission of Qualifications Statements (without cancelling the RFQ in its entirety), except the District will not amend the original Qualifications Statements formatting or submission requirements. Non-exclusive example of such an amendment to this RFQ may be the addition of an inadvertent omission from the project specifications.

The District further reserves the right to redo any stage of this RFQ (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 RFQ should be redone to eliminate any question of whether it was conducted properly.

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

The District has the right to disqualify a bid of any Bidder on the basis that the Qualifications Statement is "nonresponsive" or the Bidder is "not responsible."

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

A Bidder shall be deemed “not responsible” if the District determines that the Bidder fails to meet the minimal requirements for prequalification set forth in this RFQ.

The District reserves the right to request a Bidder to provide additional information in response to any concern that a Bidder may not be a “responsible” Bidder. Failure to provide the requested additional information, in itself, will be sufficient grounds for the District to declare the Bidder to be not “responsible” for the purposes of this RFQ.

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

M. Public Information.

It is the policy of the District that at the conclusion of the selection process, the contents of all Qualifications Statements 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 Qualifications Statement. Failure to list all proprietary sections of the submitted bid 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 RFQ is cancelled before an award is made, Qualifications Statements will not be made available for public inspection to prevent Bidders from having an unfair advantage in future solicitations for the same goods or services.

N. Bidder Questions, Requests for Interpretations, and Issuance of Addenda.

If a Bidder should have any questions relating to an RFQ, including but not limited to the interpretation of RFQ language, the preparation or submission of Qualifications Statements, or the evaluation and contract award process outlined in this RFQ, the Bidder 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 addressed 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 RFQ and shall be made available to all Bidders on the District’s website. While the District will also make a good faith effort to email or fax any addenda to all Bidders who attended pre-bid conferences, submitted requests for interpretations to the District, or otherwise communicated an interest to receive notice of addenda, the District’s failure to provide a Bidder with individualized notice of an addenda will not provide a Bidder with grounds to protest the implementation of this RFQ. Bidders are ultimately responsible themselves for keeping track of addenda issued by the District before the deadline for submitting bids in response to this RFQ.

All requests for interpretation must be submitted to the Purchasing Department on or before the close of business, 5:00 P.M. on THURSDAY, MARCH 19, 2020. The District shall not be required to answer any questions about this RFQ submitted after this date.

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

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

O. Protests.

Any actual Bidder or bona fide prospective Bidder who is aggrieved in connection with this RFQ may protest to the Purchasing Director. By submitting a Qualifications Statement in response to this RFQ without filing a protest observing the deadlines set forth below, the Bidder waives any objection to the content of this RFQ (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 RFQ as applied to the Bidder or addenda issued after the submission date.

Any protest to the content of this RFQ (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 Qualifications Statements, unless the objection concerns an addenda issued fewer than five (5) business days prior to the deadline for submissions of bids, 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 informing Bidders whether they have been prequalified for the new K-12 School Construction Project, which will be transmitted by fax to all Bidders.

The District shall not intentionally withhold information that is stated in this RFQ to be forthcoming at certain intervals, but failure of the District to notify a Bidder 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 Bidder 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 any subsequent solicitation for the award of a contract for the construction of the new K-12 school is issued. This written decision shall be final and conclusive.

P. Bidders Not Entitled to Reimbursement for their Costs Associated with Submitting Qualifications Statements.

The District recognizes that participating in this RFQ process, or any government procurement process, can be time consuming and expensive for Bidders. In participating in part of this process, Bidders acknowledge

that their costs in participating in this process are the costs of attempting to do business with the District.

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

Q. Gratuity Prohibition.

No Bidder 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.

R. Certification of Independent Submission of Bids.

By submitting a Qualifications Statement in response to this RFQ, the Bidder must certify that:

1. The information in its Qualifications Statement has been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition with any other Bidder or with any competitor;
2. The information in its Qualification's Statement has not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to the District's final determination regarding this RFQ, directly or indirectly to any other Bidder or to any competitor;
3. No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a Qualifications Statement for the purpose of restricting competition; and,
4. In the event the Bidder is a partnership or joint venture, each party thereto certifies the above.

[ITB Continues on Next Page]

III. ITB ATTACHMENTS, SPECIFICATIONS, SAMPLE CONTRACTS, AND FORMS

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

A. Attachment A: The following forms are to be completed, either electronically through E-Builder, or in physical copy and returned in response to this RFQ. The returned forms and any supporting documentation, collectively, shall constitute the Bidder's Qualifications Statement.

1. Solicitation Form 1: **Qualifications Statement Submission Checklist.** A checklist to help Bidders and Purchasing Agents determine that all required information is submitted for Bidder's Qualifications Statement. (to be included on the front of any submission).
2. Solicitation Form 2: **Bidder's Basic Business and Bonding Information.** This form provides a place for Bidder to provide its basic business and contact information, describe its business structure, and summarize its bonding capacity.
3. Solicitation Form 3: **Bidder's Past Project history.** Form for information pertaining to Bidder's Past Construction Project History
4. Solicitation Form 4: **Bidder's Past Civil Litigation and Criminal History.** Form for Bidder to provide information pertaining to Bidder's past Civil Litigation and Criminal History.
5. Solicitation Form 5: **Contractor Affidavit Under O.C.G.A. § 13-10-91.** Required by the State of Georgia O.C.G.A. § 13-10-91 (b) (1) for all firms providing service(s) to public sector entities. This form requires compliance regarding hiring and verification of employees.
6. Solicitation Form 6: **Non-Influence Affidavit:** While not every construction contract for the District is subject to the requirements of O.C.G.A. § 36-91-21, O.C.G.A. § 36-91-21(d) prohibits prospective bidders from attempting to prevent competition for a public works construction project. As the bid amount may determine the applicability of O.C.G.A. § 36-91-21, the District requires O.C.G.A. § 36-91-21(d) compliant affidavits for all construction projects.

B. Attachment B: Project information (For Reference Only)

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM
ITB #C20-22 (ESPLOST) - ATTACHMENT A**

SOLICITATION FORMS

1. Solicitation Form 1: Bid Submission Checklist.
2. Solicitation Form 2: Bidder's Basic Business and Bonding Information
3. Solicitation Form 3: Bidder's Past Project History
4. Solicitation Form 4: Bidder's Past Civil Litigation and Criminal History
5. Solicitation Form 5: Contractor Affidavit Under O.C.G.A. § 13-10-91.
6. Solicitation Form 6: Non-Influence Affidavit

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM
SOLICITATION FORM 1**

Bid Submission Checklist

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

- Solicitation Form 1: Bid Submission Checklist.
- Solicitation Form 2: Bidder's Basic Business and Bonding Information
- Solicitation Form 3: Bidder's Past Project History
- Solicitation Form 4: Bidder's Past Civil Litigation and Criminal History
- Solicitation Form 5: Contractor Affidavit Under O.C.G.A. § 13-10-91
- Solicitation Form 6: Non-Influence Affidavit
- If bidder is a corporation or LLC, a copy of the Bidder's current Annual Corporate Registration for its State of Incorporation.
- If a bidder is a corporation or LLC but not a Georgia domestic corporation or LLC, a copy of a certificate showing that Bidder is a foreign corporation or LLC registered to transact business in Georgia.
- If bidder is a partnership or joint venture, a copy of Bidder's current partnership or joint venture agreement.
- Documentation showing that Bidder is licensed to do construction work in Georgia.
- Letter from a surety company licensed in Georgia showing Bidder can meet the required bid, performance, or payment bond requirements for this project.
- A copy of the Bidder's Federal W-9 Tax Form, showing its Federal Tax Id. Number and Certification
- Additional Documents Submitted by Bidder in Support of its Qualifications Statement

Does Bidder have the bonding capacity to obtain a performance bond not less than **\$95,000,000**? If yes, please submit a letter from a surety licensed to transact surety business by the Georgia Commissioner of Insurance.

Please Note: Bidder may submit a single or multiple letters regarding its bid, payment, and performance bonding capacity.

Signature and Certification

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

This ____ day of _____ 20 ____ By: _____
Name (printed)

Title *Signature*

Company

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

D. NOTARY:

Subscribed and sworn before me on

This the ____ day of _____, 20____

Notary public

My commission expires

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM
SOLICITATION FORM 3**

Past Project History:

Project 1:

<u>Project Owner Name</u> <hr/> <u>Street Address (1)</u> <hr/> <u>Street Address (2)</u> <hr/> <u>City State Zip</u> <hr/>	<u>Project Name</u> <hr/> <u>Street Address (1)</u> <hr/> <u>Street Address (2)</u> <hr/> <u>City State Zip</u> <hr/>
<u>Building Type: (school, hospital, office, etc)</u> <hr/> <u>Building Size (square feet)</u> <hr/> <u>Start Date (Month/Year)</u> <hr/>	<u>Original Project Budget</u> <hr/> <u>Actual Final Project Cost</u> <hr/> <u>Completion Date (Month/Year)</u> <hr/>

Project 2:

<u>Project Owner Name</u> <hr/> <u>Street Address (1)</u> <hr/> <u>Street Address (2)</u> <hr/> <u>City State Zip</u> <hr/>	<u>Project Name</u> <hr/> <u>Street Address (1)</u> <hr/> <u>Street Address (2)</u> <hr/> <u>City State Zip</u> <hr/>
<u>Building Type: (school, hospital, office, etc)</u> <hr/> <u>Building Size (square feet)</u> <hr/> <u>Start Date (Month/Year)</u> <hr/>	<u>Original Project Budget</u> <hr/> <u>Actual Final Project Cost</u> <hr/> <u>Completion Date (Month/Year)</u> <hr/>

Project 3:

<p><u>Project Owner Name</u></p> <p><u>Street Address (1)</u></p> <p><u>Street Address (2)</u></p> <p>City State Zip</p>	<p><u>Project Name</u></p> <p><u>Street Address (1)</u></p> <p><u>Street Address (2)</u></p> <p>City State Zip</p>
<p><u>Building Type: (school, hospital, office, etc)</u></p> <p><u>Building Size (square feet)</u></p> <p><u>Start Date (Month/Year)</u></p>	<p><u>Original Project Budget</u></p> <p><u>Actual Final Project Cost</u></p> <p><u>Completion Date (Month/Year)</u></p>

Project 4:

<p><u>Project Owner Name</u></p> <p><u>Street Address (1)</u></p> <p><u>Street Address (2)</u></p> <p>City State Zip</p>	<p><u>Project Name</u></p> <p><u>Street Address (1)</u></p> <p><u>Street Address (2)</u></p> <p>City State Zip</p>
<p><u>Building Type: (school, hospital, office, etc)</u></p> <p><u>Building Size (square feet)</u></p> <p><u>Start Date (Month/Year)</u></p>	<p><u>Original Project Budget</u></p> <p><u>Actual Final Project Cost</u></p> <p><u>Completion Date (Month/Year)</u></p>

Project 5:

<p><u>Project Owner Name</u></p> <p><u>Street Address (1)</u></p> <p><u>Street Address (2)</u></p> <p>City State Zip</p>	<p><u>Project Name</u></p> <p><u>Street Address (1)</u></p> <p><u>Street Address (2)</u></p> <p>City State Zip</p>
<p><u>Building Type: (school, hospital, office, etc)</u></p> <p><u>Building Size (square feet)</u></p> <p><u>Start Date (Month/Year)</u></p>	<p><u>Original Project Budget</u></p> <p><u>Actual Final Project Cost</u></p> <p><u>Completion Date (Month/Year) Completion</u></p>

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM
SOLICITATION FORM 4**

Civil Litigation and Criminal History

If additional space needed, please attach a supplement.

<p>1. List any criminal penalties imposed on Bidder or of any person, subsidiary, or affiliate of the Bidder, arising out of obtaining, or attempting to obtain a public contract or private contract to subcontract part of a public contract, or arising out of the performance of such contract or subcontract in the last twenty (20) years.</p>
<p>2. List any criminal penalties imposed on Bidder or on any person, subsidiary, or affiliate of the Bidder 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 Bidder in the last twenty (20) years.</p>
<p>3. List any civil litigation alleging that Bidder failed to complete a construction project on time, performed defective work, or otherwise breached a construction contract in the last ten (10) years.</p>
<p>4. List any civil litigation alleging that Bidder injured any person or caused any property damage in the performance of construction work or as a result of defective construction work in the last ten (10) years.</p>
<p>5. List any prior suspensions or debarments that would prevent Bidder from bidding on any public works construction projects by any federal, state, or local government entity in the last ten years (10) years.</p>

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM
SOLICITATION FORM 5**

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:

_____ *Federal Work Authorization User Identification Number* _____ *Date of Authorization*

_____ *Name of Contractor*

RFQ # C20-22 – New K-12 Multi-Campus
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 _____, 20____ 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 _____, 20____

NOTARY PUBLIC

My Commission Expires

**BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM
SOLICITATION FORM 6**

NON-INFLUENCE AFFIDAVIT

Certification under Oath:

O.C.G.A. § 36-91-21 provides in pertinent part:

(d) Whenever a public works construction contract for any governmental entity subject to the requirements of this chapter is to be let out by competitive sealed bid or proposal, no person, by himself or herself or otherwise, shall prevent or attempt to prevent competition in such bidding or proposals by any means whatever. No person who desires to procure such work for himself or herself or for another shall prevent or endeavor to prevent anyone from making a bid or proposal therefore by any means whatever, nor shall such person so desiring the work cause or induce another to withdraw a bid or proposal for the work.

(e) Before commencing the work, any person who procures such public work by bidding or proposal shall make an oath in writing that he or she has not directly or indirectly violated subsection (d) of this Code section. The oath shall be filed by the officer whose duty it is to make the payment. If the contractor is a partnership, all of the partners and any officer, agent, or other person who may have represented or acted for them in bidding for or procuring the contract shall also make the oath. If the contractor is a corporation, all officers, agents, or other persons who may have acted for or represented the corporation in bidding for or procuring the contract shall make the oath. If such oath is false, the contract shall be void, and all sums paid by the governmental entity on the contract may be recovered by appropriate action.

STATE OF GEORGIA
COUNTY OF _____

I do solemnly swear on my oath that, as to the Contract dated _____, 20____,
between

_____ and The Board of Public Education for the City of Savannah and the County of Chatham, Georgia, I have not directly or indirectly influenced or the attempted exertion of any influence on behalf of the firm on behalf of which this affidavit is made, in any way, manner, or form in the purchase of materials, equipment, or other items involved in construction, manufacture, or employment of labor under the aforesaid Contract by or on any employee, officer, or agent of the Board, or any person connected with SCCPSS in any way whatsoever and I have not directly or indirectly violated subsection (d) of OCGA 36-91-21.

BY: _____
Authorized Signature (BLUE INK PLEASE)

Printed Name Title

Sworn to and subscribed before me this ____ Day of _____, 20__.

Notary Public

My commission expires: _____
(SEAL)

NOTE: THE NOTARY SEAL MUST BE APPLIED UNDER GEORGIA LAW, WHETHER OR NOT THE LAW OF THE STATE WHERE EXECUTED PERMITS OTHERWISE.