

Contract No.	Contract Name & Location	School District
ES-0027-B01	New Madison Avenue Elementary School	Irvington

### ADVERTISEMENT

The New Jersey Schools Development Authority (“NJSDA”) is seeking to engage a Design-Build Team ("DB Team") that will provide design consultant, construction administration and general contracting services for the following project:

<b>Contract No.:</b>	<b>ES-0027-B01</b>
<b>District:</b>	<b>Irvington</b>
<b>County:</b>	<b>Essex</b>
<b>No. of Schools:</b>	<b>1 (New Madison Avenue Elementary School)</b>
<b>Construction Cost Estimate:</b>	<b>\$22,000,000 - \$27,000,000</b>

**Brief description of work:**

The new Irvington Madison Avenue Elementary School will be designed and constructed to educate 463 students in grades Pre-Kindergarten through 5. The building will encompass 3 stories and approximately 73,000 square feet. The associated site improvements will include outdoor learning and play areas, a service court and parking. The project will be constructed on property owned by the Irvington Public Schools District, the site of the demolished, former Madison Avenue Elementary School. The parcel is Block 78, Lot 28 within the Township of Irvington, also known as 163 Madison Avenue and is bounded by Madison Avenue, Cummings Street and Orange Avenue.

This is a solicitation for design-build services in connection with the design and construction of the New Madison Avenue Elementary School, Irvington, New Jersey. This solicitation is issued in accordance with the authority’s regulations at N.J.A.C. 19:36-et seq.

The Request for Proposals (“RFP”) package is available at the following link: click [here](#) for electronic copies.

**Eligibility Requirements for Bidders:**

This solicitation seeks responses from interested bidders, who shall submit proposals representing a proposed multi-member Design-Build Team. The Design-Build Team shall consist primarily of:

- 1) The responding Bidder (“Bidder” or “Design-Builder”) who shall act as prime contractor for the construction work for the Project; and
- 2) A design consultant to be identified by the Design-Builder in the technical proposal (the “Design Builder’s Design Consultant” or “Design Consultant”), who shall be engaged as a subconsultant to the Design-Builder and shall act as Architect of Record for the Project, in the event of award.

Each Bidder, in order to be deemed eligible to bid and responsive to the RFP must be registered by the Department of Labor, and the Department of the Treasury - Division of Revenue; classified by the Department of the Treasury - Division of Property Management and Construction; and prequalified by the NJSDA in one of the following DPMC Trade Classifications: C006 (Construction Manager as a Constructor), or C007 (Design-Build), or C008 (General Construction).

In addition, the responding firm shall engage and identify in the Technical Proposal as a member of the Design-Build Team a firm that shall be known as the “Design-Builder’s Design Consultant” or “design consultant” and must be prequalified by the Department of the Treasury - Division of Property Management and Construction, registered with the Department of the Treasury – Division of Revenue, and prequalified by the NJSDA in the Architecture (P001) discipline with a prequalification rating of “Unlimited” as of the submittal due date for technical and price proposals.

The design-builder selected for award shall hold the Design-Build Agreement with the NJSDA and shall act in the capacity of the prime contractor. The Design- Builder’s Design Consultant shall perform in the contractual capacity of a subconsultant to the design-builder and as the architect of record for the project.

#### **Identification of Required Subcontractors and Subconsultants:**

In addition to the necessary prequalification in the discipline of Architecture, the proposed Design Consultant must itself have in-house capability and both DPMC and NJSDA prequalification in each of the following REQUIRED disciplines OR must identify subconsultants that are properly prequalified by both DPMC and NJSDA in each of the following required disciplines:

- Electrical Engineering (P002)
- HVAC Engineering (P003)
- Plumbing Engineering (P004)
- Civil Engineering (P005)
- Structural Engineering (P007)
- Environmental Engineering (P011)

Subconsultants in the above disciplines must be identified in the Technical Proposal, and all requested information regarding such subconsultants must be supplied as requested. If the Design-Builder’s Design consultant intends to self-perform any of the services of the above-identified subconsultant disciplines, and is both DPMC and NJSDA prequalified to do so, the design-builder shall so indicate and include the required information where called for.

In addition to requiring NJSDA prequalification of subconsultants in the principal disciplines listed above, regardless of their contract amounts, NJSDA further requires that subconsultants of any tier whose contract is in an amount equal to or more than \$500,000 in any of the following DPMC Disciplines be DPMC and NJSDA prequalified:

P001 Architecture  
P002 Electrical Engineering  
P003 HVAC Engineering  
P004 Plumbing Engineering  
P005 Civil Engineering  
P007 Structural Engineering  
P011 Environmental Engineering  
P015 Land Surveying  
P029 Construction Management  
P038 Asbestos Safety Control Monitoring  
P066 - P103 Materials Testing Laboratories

In accordance with the requirements of N.J.S.A. 52:18A-243, each design-builder is required to set forth in its bid the name or names of all subcontractors to whom the design-builder will directly subcontract for the furnishing of any of the work and materials specified in the plans and specifications for the following branches:

- The plumbing and gas fitting and all work and materials kindred thereto (“Plumbing Branch”);

- The steam and hot water heating and ventilating apparatus, steam power plants and all work and materials kindred thereto (“HVACR Branch”);
- The electrical work (“Electrical Branch”); and
- The structural steel and miscellaneous iron work and materials (“Structural Steel Branch”).

When naming subcontractors in accordance with this section, a design-builder is required to name only those subcontractors that are engaged directly by the Design-Builder (“first-tier subcontractors”). Design-Builders are NOT REQUIRED to name any subcontractors engaged by the first-tier subcontractors or by others (e.g., “second-tier subcontractors” or “third-tier subcontractors”).

All subcontractors required to be named under this section must be DPMC classified and NJSDA prequalified as of the submittal due date for Technical Proposals and Price Proposals. Each design-builder shall adhere to the following instructions in its identification of all subcontractors with whom the design-builder will contract in the four branches:

Plumbing Branch: The design-builder must identify a subcontractor that is DPMC classified and NJSDA prequalified in the trade of Plumbing (C030), unless the design-builder intends to self-perform for this trade. If the design-builder intends to self-perform, the design-builder must identify itself as self-performing in the trade of Plumbing (C030). If the design-builder will contract with any additional subcontractors with DPMC Trade Classifications in the Plumbing trade or other trades applicable to this branch, each such additional subcontractor must be identified.

HVACR Branch: The design-builder must identify a subcontractor that is DPMC classified and NJSDA prequalified in the trade of HVACR (C032) OR an HVAC Contractor classified in the former DPMC classification of C039 may also satisfy the HVACR (C032) requirement, if a bona-fide representative of the Contractor has applied to be “grandfathered in” under the new Master Heating, Ventilating, Air Conditioning, and Refrigeration license offered by the State Board of Examiners for Heating, Ventilating, Air Conditioning and Refrigeration Contractors pursuant to N.J.A.X. 45:16A-2. Such a C039 Contractor or subcontractor must supply a copy of the “grandfathering” license application, as well as proof of payment of application fee, unless the bidder intends to self-perform for this trade. If the bidder intends to self-perform, the self-performing bidder must provide proof of the required HVACR license by providing evidence that a bona-fide representative of the firm holds a Master HVACR license, or providing evidence that a principal or employee of the firm has applied to be “grandfathered in” to the Master HVACR license based on experience without meeting education and examination requirements under N.J.A.C. 45:16A-26. If the design-builder will contract with any additional subcontractors with DPMC Trade Classification in the HVACR trade or other trades applicable to this branch, each such additional subcontractor must be identified.

Electrical Branch: The design-builder must identify a subcontractor that is DPMC classified and NJSDA prequalified in the trade of Electrical (C047), unless the design-builder intends to self-perform for this trade. If the design-builder intends to self-perform, the design-builder must identify itself as self-performing in the trade of Electrical (C047). If the design-builder will contract with any additional subcontractors with DPMC Trade Classifications in the Electrical trade or other trades applicable to this branch, each such additional subcontractor must be identified.

Structural Steel Branch: The design-builder must identify a subcontractor that is DPMC classified and NJSDA prequalified in the trade of Structural Steel (C029), unless the design-builder intends to self-perform for this trade. If the design-builder intends to self-perform, the bidder must identify itself as self-performing in the trade of Structural Steel (C029). If the design-builder will contract with any additional subcontractors with DPMC Trade Classifications in the Structural Steel trade or other trades applicable to this branch, each such additional subcontractor must be identified.

**Subcontractors in the above disciplines must be identified in the Technical Proposal** (unless the Design-Builder proposes to self-perform in such disciplines), **and all requested information regarding such subcontractors must be supplied as requested.** If a design-builder intends to self-perform any of the work of four above-described branches of Work, and is DPMC classified

and NJSDA prequalified to do so, the design-builder shall so indicate and include the required information where called for in the Technical Proposal and Price Proposal.

In addition to all other requirements listed above, the NJSDA further requires all subcontractors of any tier in the DPMC Trade Classifications listed below whose contract is in an amount which is equal to or greater than \$500,000 be DPMC classified and NJSDA prequalified.

- C006- CM as Constructor
- C007 - Design Build
- C008 - General Contractor
- C009 - GC/Alterations & Additions
- C019 - Concrete/Foundation/Footings/Masonry work
- C021 - Demolition
- C029 - Structural Steel
- C030 - Plumbing
- C032 - HVACR
- C045 - Sprinkler Systems
- C047 - Electrical
- C066 - Roofing-Membrane EPDM
- C067 - Roofing-Membrane PVC/CPE/CSPE
- C068 - Roofing-Membrane Modified Bitumen
- C069 - Roofing-Urethane
- C070 - Roofing-Built Up
- C071 - Roofing-Metal
- C072 - Roofing-Tile/Slate/Shingles
- C092 - Asbestos Removal/Treatment
- C093 - Asbestos Removal/Mechanical
- C096 - Lead Paint Abatement

This contract requires compliance with the New Jersey Prevailing Wage Act and the Federal Davis-Bacon and Related Acts. This contract will be subject to the terms of a PROJECT LABOR AGREEMENT. The PROJECT LABOR AGREEMENT will be included in the contract and is available at the [NJSDA website](#).

Note that the selected bidder and its Design-Build Team shall be required to ensure that small business enterprises ("SBEs") have the maximum practicable opportunity to participate in the performance of this engagement. A 25% Set-Aside Goal has been established for this Project.

The Bidder will be required to identify in an SBE Form B submitted with the Technical Proposal the SBE firms that are or will be engaged to satisfy the Authority's SBE Set-Aside Goals with respect to the Design Services portion of the Project. The bidder will later be required to identify, prior to the issuance of a Notice to Proceed with the Construction work, the SBE firms that are or will be engaged to satisfy the authority's SBE Set-Aside Goals with respect to the Construction Work of the Project. Failure to make a good faith effort to satisfy the Authority's SBE Set-Aside Goals shall be grounds for rejection of a Bidder's proposal, or, if such failure occurs after award, termination of the Design-Build Agreement.

A firm or person or an affiliate thereof may not serve as a Design-Builder or as a subcontractor or as a subconsultant on an authority project for which the firm or person serves as the construction manager or as a subcontractor or as a subconsultant to the construction manager.

**NOTE: Interested parties are advised that pursuant to N.J.A.C. 19:36-3.5 ("Conflicts of Interest") a professional consultant, firm or individual, that has assisted the Authority by materially participating in preparation of an RFQ or RFP for a design-build procurement shall not be permitted to participate in that procurement as a member of a Design-Build Team. "Materially**

participating in the preparation of an RFQ or RFP” shall mean the preparation of the RFP and RFQ themselves, as well as the preparation of plans, specifications, reports or other documents that are produced with the intent to be incorporated into a Project Manual or Design-Build Information Package that is part of that RFQ or RFP.

### **Procurement Overview:**

The first step in the procurement process requires the Bidder to submit a Project Rating Proposal, which results in the establishment of a Project Rating Limit for the bidder. A Bidder may not submit a Price Proposal for the Project that, excluding the GMP Reserve and amounts designated as design fees for the Project, exceeds its Project Rating Limit.

The second step of the procurement process requires the Bidder to simultaneously submit:

- 1) “Experience Criteria” portion of Technical Proposal (five (5) bound copies of each of the following three forms, submitted in one or more envelopes submitted separately from the rest of the Technical Proposal):
  - Design-Builder’s Experience on Similarly Sophisticated Projects;
  - Design-Builder’s Design Consultant’s Experience on Similarly Sophisticated Projects; and
  - Design-Builder’s Demonstrated Prior Affirmative Action Experience.
- 2) “Project Approach Criteria” portion of Technical Proposal (submitted as one (1) unbound original of all other materials comprising the Technical Proposal and seven (7) bound copies) which provides information required by the RFP including: Identification and Qualifications of the Design-Builder’s Key Team Members; the Design-Builder’s Approach to Schedule; the Design-Builder’s Approach to Project; and the Design-Builder’s Approach to LEED Requirements; as well as other information;
- 3) One (1) full copy in PDF format of all materials comprising the Technical Proposal, including the “Experience Criteria” portion and the “Project Approach Criteria” portion, on electronic media (CD or comparable); and
- 4) A sealed Price Proposal, which states the bidder's fixed, lump-sum Contract Price for the Project, which will form the basis for the Guaranteed Maximum Price for the Project.

In the evaluation step, the bidder’s “Experience Criteria” submission will be reviewed on a non-numeric, yes/no basis by an Evaluation Committee dedicated to the review of the Experience Criteria.

The “Project Approach Criteria” portion of the Technical Proposals will be reviewed and analyzed by a Selection Committee comprised of no fewer than four (4) individuals representing the NJSDA and the School District, charged with evaluating the Technical Proposals and conducting interviews with the Bidders and their Design Consultants for the clarification and amplification of the information contained in the Technical Proposals, before scoring the Technical Proposals with reference to the following non-price evaluation factors:

- Approach to Project (35 points);
- Identification & Qualification of Required Key Team Members (30 points);
- Approach to Schedule (20 points); and
- Approach to LEED Requirements (15 points).

The Price Proposals will remain sealed until the interviews are completed and the Project Approach Criteria of the Technical Proposals have been fully evaluated and scored. The scores for the Project Approach portion of the Technical Proposals will be revealed at the public bid opening at which the Price Proposals are opened. The Price Proposals will then be scored by the Authority’s Procurement Division at the public meeting in accordance with the terms of the RFP. The scores for the Project Approach evaluation factors will be combined with the scores for the Price Proposals, and the Bidder with the highest

combined score will be deemed the winning bidder with the proposal most advantageous to the Authority, price and other factors considered, pursuant to N.J.S.A. 52:18A-243 and N.J.A.C. 19:36-1 et seq.

Price shall be considered more important than all other factors combined, with price representing 60% of the weighted scoring and all other factors representing 40% of weighted scoring. The Authority is under no obligation to accept the lowest price proposal, as evaluation and scoring of proposals shall be in accordance with the terms of the RFP and regulations at N.J.A.C. 19:36-1 et seq.

**Procurement Submission Dates and Deadlines:**

- A. A **Mandatory** pre-bid conference will be held as follows:

**Pre-Bid Date: August 30, 2016**  
**Pre-Bid Time: 11:00 AM (local time)**  
**Pre-Bid Place: NJSDA Newark Office**  
**375 McCarter Highway**  
**Newark, NJ 07114**

Immediately following the **Mandatory** pre-bid there will be a **Mandatory** site visit.

- B. A Design-Build Information Package, containing the Authority's requirements for the Project as expressed in drawings, plans, Procedural and Performance Specifications and other documents, will be made available through a controlled-access website to NJSDA prequalified firms that have attended the mandatory **August 30, 2016** pre-bid conference and, if applicable, any mandatory site visit. In addition, the Design-Build Information Package will be made available thereafter for in-person review at NJSDA offices by appointment during normal business hours. To set up an appointment, please e-mail **Naimish Kathiari**, Procurement Analyst, at [nkathiari@njsda.gov](mailto:nkathiari@njsda.gov).

If the Design-Builder has any questions or finds any perceived error or omission in the Design-Build Contract Documents or any conflict or discrepancy within the Design-Build Contract Documents or between the Design-Build Contract Documents and any applicable provision of law, the Design-Builder shall submit written questions (referred to hereinafter as "Bidders' Questions") to the Authority for interpretation or clarification. Failure to submit said Bidders' Questions shall be deemed a waiver for any claims for future compensation regarding discrepancies within the Design-Build Contract Documents.

The Design-Builder shall be responsible for delivery of such Bidders' Questions by **2:00 PM (local time) on September 28, 2016** to **Naimish Kathiari**, Procurement Analyst, at [nkathiari@njsda.gov](mailto:nkathiari@njsda.gov).

All responses to such Bidders' Questions shall be in the form of written Addenda.

- C. In addition to participation in the mandatory pre-bid conference and mandatory site visit, all Bidders on this project will be required to complete a Project Rating Proposal (PRP) form and submit the completed PRP by **2:00 PM (local time) on September 12, 2016** to **Naimish Kathiari** at the following NJSDA address:

If submitting by U.S. Mail:  
New Jersey Schools Development Authority  
P.O. Box 991  
Trenton, New Jersey 08625-0991

If submitting by Fed Ex, UPS, Courier, Hand Delivery:  
New Jersey Schools Development Authority  
32 East Front Street

**NO BIDDER CAN UTILIZE A PROJECT RATING LIMIT (PRL) ISSUED BY THE NJSDA PRIOR TO MAY 2016. THE NEW PRP FORM IS DATED 4/12/2016 AND IS AVAILABLE ON THE NJSDA WEBSITE AND IS CONTAINED WITHIN THE CONTRACT DOCUMENTS. THE PROJECT RATING PROPOSAL FORM IS AVAILABLE AT:**

[www.njsda.gov/njsda/Business/Doc\\_Form/pdfs/Project\\_Rating\\_Proposal\\_Submission.pdf](http://www.njsda.gov/njsda/Business/Doc_Form/pdfs/Project_Rating_Proposal_Submission.pdf)

- D. Bidders must submit a Technical Proposal, consisting of two separate parts, the responses to “Experience Criteria” and the separate “Project Approach Criteria”, which corresponds to the non-price “other factors” evaluative criteria requirements of RFP. The Technical Proposals must be received by the NJSDA by **2:00 PM (local time) on October 25, 2016**. Faxed or e-mailed submittals will not be accepted.

Bidders must simultaneously submit a sealed Price Proposal along with the Technical Proposal, and all bidders’ Technical Proposals and Price Proposals must be received by the NJSDA by **2:00 PM (local time) on October 25, 2016**. Faxed or e-mailed Price Proposals shall not be accepted. Any Technical or Price Proposals received after this date and time will be returned unopened. Technical Proposals and sealed Price Proposals shall be delivered to **Naimish Kathiari** at the NJSDA address below:

If submitting by U.S. Mail:

New Jersey Schools Development Authority  
P.O. Box 991  
Trenton, New Jersey 08625-0991

If submitting by Fed Ex, UPS, Courier, Hand Delivery:

New Jersey Schools Development Authority  
32 East Front Street  
Trenton, NJ 08625-0991

- E. The sealed Price Proposals will be publicly opened and read at a bid opening at the NJSDA office on **November 15, 2016 at 2:00 PM (local time)**.

For further information on NJSDA, please visit us at [www.njsda.gov](http://www.njsda.gov).

DATE ADVERTISED: August 16, 2016