

**REQUEST FOR PROPOSALS FOR
ARCHITECTURAL/ENGINEERING SERVICES
UTICA CITY SCHOOL DISTRICT**

**929 York Street
Utica, NY 13502
315-792-2210**

GENERAL INFORMATION/CONDITIONS:

The purpose of this request for proposals (“RFP”) is to assist the Utica City School District (“District”) in selecting an appropriate firm to provide Architectural/Engineering services necessary to produce a district-wide building condition survey (“BCS”) with data and coding which will allow the District to file the BCS electronically with the New York State Education Department **AND** a five-year capital facilities plan (“5 Year Plan”). This comprehensive audit of District facilities should verify, correct, and accurately update the existing Building Condition Survey. The BCS and 5 Year Plan must comply with the regulations of the Commissioner of Education Section 155.1 (8 NYCRR §155.1) as amended, and will identify all deficient conditions, including any items discovered in the audit process not previously listed in the last survey. Additionally, the BCS and 5 Year Plan must:

- Propose corrective actions with estimated cost to repair/replace per deficiency;
- Rank and prioritize all deficient conditions and associated corrective actions;
- Highlight any conditions or deficiencies that pose an imminent threat to health or safety;
- Highlight any opportunities for improved energy efficiency; and
- Provide digital photographic documentation of the building(s) and major deficiencies.

Utica City School District is located in the city of Utica, New York and serves a population of approximately 9,489 students. The District consists of 10 elementary schools, 2 junior high schools, a senior high school, and an alternative education center. Additionally, the District has administrative maintenance, central kitchen and transportation facilities.

Proposers submitting proposals must be able to document their experience in providing Architectural/Engineering Services to comparable New York State public school districts. Additionally, Proposers shall document their staff capacity and expertise to meet the requirements of the District generally and the unique requirements of capital construction projects.

The pre-proposal meeting and inspection, if any, will be held at the discretion of the District by appointment only and subject to the District’s access policies and procedures, including infection control protocols.

All questions regarding this RFP are to be directed to the District via email to:

Dr. Kathleen Davis
Acting Superintendent
kdavis@uticaschools.org

LEGAL NOTICE

The Board of Education of the Utica City School District invites proposals on the forms provided for:

ARCHITECTURAL/ENGINEERING SERVICES - BCS

Proposals must be delivered to the office of Dr. Kathleen Davis, Interim Superintendent of the Utica City School District, Administration Building, 929 York Street, Utica, New York 13502 prior to 11:00 a.m. on the 30th day of January, 2024, at which time they will be publicly opened and read. Proposals are to be based on specifications entitled "ARCHITETURAL/ENGINEERING SERVICES - BCS". Proposals shall also be e-mailed to David E. Tinker at the Ferrara Firm PC drop box link at <https://spaces.hightail.com/uplink/Ferrara-FiorenzaLawFirm>.

For a proposer to be considered for engagement, an original plus an electronic submission, plus eight (8) copies of their proposal must be submitted. Proposers are responsible for submitting their proposals as set forth herein to the appropriate location at or prior to the deadline. No proposals will be accepted after the deadline. Any proposals received after the deadline will be returned unopened to the Proposer and the electronic submission will be deleted. Delay in mail delivery is not an exception to the receipt of a proposal.

The District's Board of Education reserves the right to reject any or all proposals submitted, to negotiate with any Proposer, or to accept any proposal which, in the opinion of the Board, will be in the best interest of the District.

**BOARD OF EDUCATION
UTICA CITY SCHOOL DISTRICT**

For a Proposer to be considered for engagement, an original, plus an electronic submission, plus eight (8) copies of their proposal must be submitted to:

Dr. Kathleen Davis
Interim Superintendent
kdavis@uticaschools.org
929 York Street
Utica, NY 13502

Envelopes containing proposals must be labeled as follows: “**ARCHITECTURAL/ENGINEERING SERVICES - BCS**”

Proposals shall also be e-mailed to David E. Tinker at the Ferrara Firm PC drop box link at <https://spaces.hightail.com/uplink/Ferrara-FiorenzaLawFirm>.

The deadline for submission of proposals is January 30th at 11:00 am local time.

Proposers are responsible for submitting their proposals as set forth herein to the appropriate location at or prior to the deadline. **No proposals will be accepted after the deadline.** Any proposals received after the deadline will be returned unopened to the Proposer and the electronic submission will be deleted. Delay in mail delivery is not an exception to the receipt of a proposal.

The District’s Board of Education reserves the right to reject any or all proposals submitted, to negotiate with any Proposer, or to accept any proposal which, in the opinion of the Board, will be in the best interest of the District.

TENTATIVE RFP TIMELINE:

EVENT	Date (on or about)
Notice of RFP published	December 27, 2023
Inspection (at the District’s discretion)	TBD
Proposal Due Date	January 30th at 11:00 am local time
Interviews (at the District’s discretion)	TBD
Board of Education consideration	February 27, 2024
Contract(s) anticipated effective date	February 28, 2024

The above-listed dates are tentative only and subject to change. The District reserves the right to revise the timeline without notice in its sole discretion.

PERIOD OF ENGAGEMENT:

The services are to be covered by a contract and are subject to appropriation by the District. If there is no appropriation, then the contract will become null and void and of no force and effect.

POINT OF CONTACT:

RFP documents are distributed solely by the District. Copies of RFP documents obtained from any other source are not considered official copies and may not be valid. Only those Proposers who obtain RFP documents from the District will be sent addendum information if such information is issued.

Limited requests for clarification or additional information regarding this Request for Proposals are to be submitted in writing prior to the proposal opening. **Verbal questions will not be entertained.** Questions may be submitted **via email** to Dr. Kathleen Davis, Acting Superintendent at kdavis@uticaschools.org Questions must be submitted at least 72 hours prior to the proposal opening deadline. Failure to do so may result in rejection of the proposal as being unresponsive. Any substantive requests for information that are received and responded to by the District will be provided to all prospective Proposers in the form of an addendum.

PROPOSAL COSTS:

All costs associated with preparing a response to this RFP are the responsibility of the Proposer. The District shall not be responsible for any such costs.

MODIFICATION OR WITHDRAWAL OF PROPOSALS:

Any proposal may be withdrawn or modified by written request of the Proposer, provided such request is received by the District prior to the date and time set for receipt of proposals.

RIGHT TO REJECT PROPOSALS:

This RFP does not commit the District to award a contract, pay any cost incurred in the preparation of a proposal in response to this RFP, or to procure or contract for services. The District intends to award a contract on the basis of the best interest and advantage to the District and reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with all qualified proposers, or to cancel this RFP, in part, or in its entirety. The District may select as the successful proposal that proposal which, in the District's sole discretion and with whatever modifications the District and the Proposer may mutually agree upon, best meets the District's requirements whether or not that proposal is the lowest priced. No Proposer shall have any legal, equitable, or contractual rights of any kind arising out of its submission of a proposal except as and to the extent that the District, in its sole discretion, shall enter into a contract with the Proposer that it selects as the successful Proposer.

THE CONTRACT:

Provisions of this RFP and the contents of the successful response will be used to establish final contractual obligations as set forth in one or more contracts, see the sample Agreement attached hereto and incorporated herein. The District retains the option of canceling the award of a contract if the successful Proposer fails to accept the terms, conditions, and obligations contained in the attached sample Agreement. The final contract(s) shall not contain any limitation of liability on the part of the Proposer with respect to its obligations under the contract(s).

The Board reserves the right to revise the obligations set forth in the attached sample Agreement, negotiate with any or all Proposers, and enter into one or more contracts for services with a Proposer on terms and conditions that are in the District's best interest.

FORMAT OF PROPOSALS:

To enable the District to compare the proposals received, your proposal must include complete information as requested in this RFP and in the:

ARCHITECTUAL/ENGINEERING SERVICES QUESTIONNAIRE ARCHITECTURAL/ENGINEERING FEES FORM

It must also include the following completed forms which are attached hereto:

Receipt Confirmation Form
Bid Proposal Certification and Non-Collusive Bidding Certification
Certificate and Signature Form
Iran Divestment Act Certification

INSURANCE:

No Proposer shall commence work for the District until it has obtained the insurance coverage required in the attached sample Agreement or as otherwise agreed by the District; submits acceptable certificates of insurance to the District; and such insurance coverage, types, and amounts have been approved by the District. Submission of evidence of insurance coverage and approval of the insurance by the District shall not limit or decrease the liability of the Proposer.

EXPECTED SCOPE OF SERVICES

The scope of services required by the District will be set forth in one or more Agreements.

CRITERIA FOR EVALUATING PROPOSALS:

- Qualifications and experience of the Proposer and other key personnel.
- Knowledge of and experience with NYS Education Department procedures regarding construction projects and other state and federal laws affecting the operations of public school districts.
- Recommendations from other school districts.
- Extent of services offered, and depth and extent of overall resources that can be used by the District.
- Architectural fees.
- Accuracy of estimating costs for previous school construction projects.
- How well the Proposer's representatives presented themselves to District officials.
- The willingness and ability to maintain continuity of staff working on a project to allow the District to develop a strong professional relationship.
- Communication techniques.

All proposals will be reviewed as set forth herein. District Administration and members of the Board of Education will review the proposals received and will further evaluate them, using the criteria listed above.

Proposers considered to be most qualified may be invited to the District for an interview at the District's administrative offices. Any Proposer selected for an interview should prepare a brief presentation based on the information requested in the Architectural/Engineering Services Questionnaire and the Architectural/Engineering Fees Form, both of which are attached hereto.

The District reserves the right to examine any other criteria and take the same under consideration and reject any Proposer or proposal despite its compliance with these criteria, if it determines that to do so would be in the best interest of the District.

The District reserves the right to reject any or all proposals submitted, to request additional information from one or more of the Proposers, and to negotiate with one or more of the finalists regarding the terms of the engagement and the Agreement(s). The District intends to select the Proposer that, in its opinion, is best qualified to meet the District's needs.

UTICA CITY SCHOOL DISTRICT
929 York Street
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ARCHITECTUAL/ENGINEERING SERVICES QUESTIONNAIRE

Firm Name: _____ Date _____

Address: _____

Contact Person: _____

Phone: _____

email: _____

1. Provide a Company Profile that includes the following:
 - a. a chart of organization
 - b. the size of the firm (number of employees)
 - c. the number of years that the firm has been in business
 - d. the type of service the firm can provide (i.e., full service, limited service with subcontractors, etc.)
 - e. the background of the firm
 - f. the location and address of the office from which the work for this District is to be performed.
2. Provide a list of those individuals in the firm with expertise in public school construction that will be **directly involved with the District and whose participation will be contractually committed to the District.** Include résumés that include information without limitation such as:
 - a. years of experience in NYS public school construction;
 - b. educational background;
 - c. the date the person began work for the firm;
 - d. their experience in designing NYS public school construction projects in the position to be held for this District;
 - e. any special skills;
 - f. a list of references with names and telephone numbers of contact persons for each person; and
 - g. the approximate percentage of work time each key person would devote to this District.
3. On a separate page list the school districts you are now working with, or whom you have worked with in the past seven (7) years and for each provide the following:
 - a. name of the project;
 - b. school district contact, including name and telephone number;
 - c. Referendum amount;

- d. Construction cost;
 - e. scheduled completion date; and
 - f. actual completion date.
4. Total number of persons in the firm with expertise in State Education Department procedures for public school construction projects _____
 5. Will the architect's project manager be available to attend Board meetings and other special meetings, without limitations (mostly evenings) when required? ____ Yes ____ No
 6. Do you have any conflicts of interest or affiliations with employees of the District that would prohibit or restrict your representation of the District? ____ Yes ____ No If yes, please specify on a separate schedule.
 7. Have you been involved in any litigation, arbitration, or claims involving a New York State public school district in the past fifteen (15) years under your current company name or previous company names? ____ Yes ____ No If yes, please specify the details on a separate schedule, including whether the litigation was filed by or against you.
 8. Have you been involved in any litigation, arbitration, or claims involving an owner other than a New York State public school district in the past fifteen (15) years under your current company name or previous company names? ____ Yes ____ No If yes, please specify the details on a separate schedule, including whether the litigation was filed by or against you.
 9. Please specify the general liability insurance coverage that you carry, including whether the coverage is under a claims made or occurrence based policy.
 10. Please specify the amount of the professional liability insurance coverage that you carry, including whether the coverage is under a claims made or occurrence based policy.
 11. Please complete the attached ARCHITECTURAL/ENGINEERING FEES FORM.

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ARCHITECTURAL/ENGINEERING FEES FORM

Please indicate the fees or the method of calculation you would charge for the services listed below.

Item 1 must be completed . Assume the following square footage information:

Utica City School District 23/24	
BUILDING	Square Ft.
PROCTOR High School	449,169
PROCTOR Stadium	2,420
Proctor Stadium Bldg	7,800
Proctor Restroom (Upper Field)	600
Proctor Storage (Lower Field)	1,100
KENNEDY Middle School *	158,874
KENNEDY Storage Shed	800
KENNEDY Field House	2,740
ALBANY *	57,203
COLUMBUS *	72,421
CONKLING *	76,554
GEN. HERKIMER *	68,994
HUGHES *	87,866
JEFFERSON *	74,552
JONES	54,997
KERNAN *	183,737
WATSON WILLIAMS	72,225
KING *	45,983
DONOVAN Middle School *	162,012
Donovan Field Bldg	1,800
SCHOOL SHOP	32,230
CENT. KITCHEN	10,626
LEASED BUS GARAGE - 310 Niagara st.	6,770
Total	1,631,473

	Service	Fee to be charged or method of calculation
1	Building Condition Survey and Updating of Five-Year Capital Plan	
	OPTIONAL	
2	Lead Assessment	
3	Spill Prevention Countermeasures Control Plan	
4	Drawing, Scanning and Orientation of Capital Project Files and Maps	
5	Energy Performance Evaluation	
6	Electrical Testing, Arc Flash Testing, Electrical Panel Survey	
7	Security Assessment and evaluation to determine options for different levels of security	
8	Radon testing	
9	Educational Space Planning	
10	Fuel Island and pump inspection	
11	Site and Field orientation	
12	Other suggested services	

You may provide any additional information that will assist the School District in the analysis and comparison of fees.

**UTICA CITY SCHOOL DISTRICT
929 York Street
Utica, NY 13502**

Please complete and return this confirmation form within 5 working days of receiving the RFP to:
Attention: Dr. Kathleen Davis, Interim Superintendent

UTICA CITY SCHOOL DISTRICT
929 York Street
Utica, NY 13502

RE: RFP UTICA CITY SCHOOL DISTRICT
ARCHITECTURAL/ENGINEERING SERVICES

Telephone: 315-792-2210

Fax:

Failure to return this form may result in no further communication or addenda regarding this RFP.

Company Name: _____

Address: _____

City, State, Zip: _____

Contact Person: _____

Phone Number: _____ Ext: _____ Fax: _____

email: _____

I have received a copy of the above noted RFP

_____ We will be submitting a proposal

_____ We will not be submitting a proposal.

If you are responding that you are not submitting a proposal, please explain:

UTICA CITY SCHOOL DISTRICT
929 York Street
Utica, NY 13502

BID PROPOSAL CERTIFICATION

Firm Name _____

Business Address _____

Telephone Number _____ Date of Bid _____

I. General Bid Certification

The bidder certifies that he will furnish, at the prices herein quoted, the materials, equipment and/or services as proposed on this bid.

II. Non-Collusive Bidding Certification

By submission of this bid proposal, the bidder certifies that he is complying with Section 103-d of the General Municipal Law as follows:

Statement of non-collusion in bids and proposals to political subdivision of the state. Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding specification.

"(A) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of joint bid each party thereto certifies as to its own organization, under penalty or perjury, that to the best of knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

(2) Unless otherwise requested by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition."

(B) A bid shall not be considered for award nor shall any award be made where (A) (1) (2) and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (A) (1) (2) and (3) above have not been completed with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

(1) The fact that a bidder (2) has (a) published price lists, rates, or tariffs covering items being procured, (b) had informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph one (A).

(2) Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors to the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Signature (Authorized) _____

Title _____

CERTIFICATE AND SIGNATURE FORM

RE: RFP UTICA CITY SCHOOL DISTRICT
ARCHITECTURAL/ENGINEERING SERVICES

PLEASE COMPLETE AND RETURN WITH YOUR PROPOSAL:

THE PROPOSER DECLARES AND CERTIFIES:

- 1ST: THAT NO MEMBER OF THE BOARD OF EDUCATION OF THE UTICA CITY SCHOOL DISTRICT, CITY OF UTICA AND COUNTY OF ONEIDA, NY, NOR ANY OFFICER OR EMPLOYEE OR PERSON WHOSE SALARY IS PAYABLE IN WHOLE OR IN PART FROM THE TREASURY OF SAID BOARD OF EDUCATION IS DIRECTLY OR INDIRECTLY INTERESTED IN THIS PROPOSAL OR IN THE MATERIALS, EQUIPMENT, OR SERVICES TO WHICH IT RELATES, OR IN ANY PORTION OF THE PROFITS THEREOF.
- 2ND: THAT THE SAID PROPOSER HAS CAREFULLY EXAMINED THE INSTRUCTIONS TO PROPOSERS, SCHEDULES AND SPECIFICATIONS PREPARED UNDER THE DIRECTION OF THE BOARD OF EDUCATION, AND WILL, IF SUCCESSFUL IN THIS PROPOSAL, FURNISH AND DELIVER AT THE PRICES BID AND WITHIN THE TIME STATED, ALL THE MATERIALS, EQUIPMENT OR SERVICES FOR WHICH THIS PROPOSAL IS MADE.

THE FULL NAMES AND TITLES OF ALL PERSONS INTERESTED IN THIS BID AS PRINCIPALS ARE AS FOLLOWS:

DATE: _____

PHONE NUMBER: _____

FIRM: _____

FAX NUMBER: _____

ADDRESS: _____

NAME: _____
(CONTACT PERSON FOR INQUIRIES)

AUTHORIZED SIGNATURE: _____

TITLE: _____

UTICA CITY SCHOOL DISTRICT
929 York Street
Utica, NY 13502
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IRAN DIVESTMENT ACT CERTIFICATION

The Iran Divestment Act of 2012 ("Act"), Chapter 1 of the 2012 Laws of New York, added State Finance Law (SFL), § 165-a and General Municipal Law § 103-g, effective April 12, 2012. Under the Act, the Commissioner of the New York State Office of General Services ("OGS") developed a list ("Prohibited Entities List") of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). In accordance with SFL § 165-a(3), the Prohibited Entities List may be found on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>.

Pursuant to General Municipal Law § 103-g, by signing below, Bidder certifies as true under the penalties of perjury that: By submission of this proposal each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each Bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.

A proposal shall not be considered for award nor shall any award be made where the certification has not been made, provided, however, that if in any case the Bidder cannot make the certification, the Bidder shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reasons therefor. The Utica City School District ("District") may award a contract to a Bidder who cannot make the required certification on a case-by-case basis if:

The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran: or

The District makes a determination that the goods and services are necessary for the District to perform its functions and that, absent such exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

During the term of the Contract, should the District receive information that a person is in violation of the above-referenced certifications, the District will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the District shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the contractor in default.

The District reserves the right to reject any bid, proposal, contract or request for assignment for an entity that appears on the Prohibited Entities List prior to the award or execution of a contract or any renewal thereof, as applicable, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities List after contract award.

DATE

SIGNATURE

BUSINESS NAME

PRINTED NAME

TITLE

