

**WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT
REQUEST FOR QUALIFICATIONS AND FEE PROPOSALS (“RFQ”) #8-1112
WEST VALLEY COLLEGE, LANGUAGE ARTS/SOCIAL SCIENCES RENOVATION
PROJECT AND MISSION COLLEGE, MAIN BUILDING REPLACEMENT PROJECT TEST &
INSPECTION SERVICES**

West Valley-Mission Community College District (“District”) requests that firms providing construction materials/equipment tests and inspections (“Respondents”) submit written responses to this RFQ.

1. Request for Qualifications and Fee Proposals

- 1.1. Purpose of RFQ. This RFQ is a part of the process for the District’s selection and retention of a Project Test & Inspection Services firm to provide materials test/inspection services during construction of a work of improvement on the District’s West Valley College campus commonly described as the Language Arts/Social Sciences Renovation (LASS) (“Project”) and Mission College Main Building Replacement (MBR) (“Project”). Timely submitted RFQ Responses will be evaluated by the District to ascertain the Respondents’ respective qualifications, based on the criteria established in this RFQ. Following the determination of which Respondents meet or exceed the qualifications standards set forth in this RFQ, in the sole and exclusive discretion of the District, Respondents deemed qualified may be requested to participate in an interview with the District as part of the process for selection and retention of a test/inspection firms for the Project.
- 1.2. Project Test/Inspection Services. The successful Respondent will be required to perform, provide and complete the test/inspection services as identified in the Form DSA-103 for the Project, a copy of which is attached hereto as Exhibit C – WVC LASS and Exhibit D – MC MBR and incorporated herein by this reference.
- 1.3. District Modifications to RFQ. The District expressly reserves the right to modify any portion of this RFQ prior to the latest date/time for submission of RFQ Responses, including without limitation, the cancellation of this RFQ. Modifications, if any, made by the District to the RFQ will be in writing; potential Respondents who have obtained this RFQ from the District prior to any such modifications will be issued modifications to the RFQ by written addenda.
- 1.4. No Oral Clarifications/Modifications. The District will not provide any oral clarifications or modifications to the RFQ or the requirements hereof; no employee, officer, agent or representative of the District is authorized to provide oral clarifications or modifications to the RFQ. No Respondent shall rely on any oral clarification or modification to the RFQ.
- 1.5. Public Records. Except for materials relating to a Respondent’s Financial Statement, materials deemed Trade Secrets (as defined in California Civil Code §3426.1) and materials specifically marked “Confidential” or “Proprietary,” all materials submitted in response to this RFQ are deemed property of the District. Upon conclusion of negotiations between the District and Respondents, RFQ Responses shall be deemed to be public records. The foregoing notwithstanding, the District may reject for non-responsiveness the RFQ Response of a Respondent who indiscriminately notes that its RFQ Response or portions thereof are “Trade Secret” “Confidential” or “Proprietary” and exempt from disclosure as a public record. The District is not liable or responsible for the disclosure of RFQ Responses, or portions thereof, deemed to be public records, if disclosure is by law, by an order of Court, or which occurs through inadvertence, mistake or negligence on the part of the District or its agents or representatives. If the District is required to defend or otherwise respond to any action or proceeding wherein request is made for the disclosure of the contents of any portion of a RFQ

Response deemed exempt from disclosure hereunder, by submitting a response to this RFQ, each Respondent agrees to defend, indemnify and hold harmless the District in any action or proceeding from and against any liability, including without limitation attorneys' fees arising therefrom. The party submitting materials sought by any other party shall be solely responsible for the cost and defense of the District in any action or proceeding seeking to compel disclosure of such materials; the District's sole involvement in any such action shall be that of a stakeholder, retaining the requested materials until otherwise ordered by a court of competent jurisdiction.

1.6. Mandatory Pre-RFQ Meeting. The District will conduct a Mandatory Pre-RFQ Meeting beginning at 2:00 p.m. on December 15, 2011 at West Valley-Mission Community College Facilities Conference Room, 14000 Fruitvale Ave, Saratoga, CA 95070. At least one (1) employee of each Respondent that will be assigned to supervise the test/inspection services and/or assigned to perform one or more test/inspection must attend the entirety of the Mandatory Pre-RFQ Meeting, as reflected in the written sign-in and sign-out sheet the District will maintain at the Mandatory Pre-RFQ Meeting. The failure of a Respondent to fully comply with the foregoing will render the RFQ Response of such Respondent to be non-responsive and rejected.

1.7. Interviews. Respondents deemed qualified to provide special tests/inspections for the Project **may** be required to participate in an interview with the District. Interviews, if conducted by the District, will generally consist of no more than fifteen (15) minutes for Respondents' presentation, followed by questions posed by the District. Total time of each interview will not exceed one (1) hour. If requested by the District, any Respondent invited to participate in the interview process shall have present at the interview its key personnel. The order of firms to be interviewed will be selected randomly. Subject to the right of the District to augment or otherwise modify the following, the District anticipates the following will participate in the interview:

District Maintenance and Operations Department Representative(s)
 District Facilities and Facilities Development Representative(s)
 District Administrative Representative(s)
 Lionakis (Architect) (MBR)
 HMC (Architect (LASS)
 Gilbane Building Company (Project Manager)

1.8. RFQ Exhibits. The following documents are attached as Exhibits to this RFQ and are incorporated herein by this reference:

Exhibit A	Project Test/Inspection Agreement
Exhibit B	Statement of Qualifications
Exhibit C	Form DSA-103; Required Tests/Inspections LASS
Exhibit D	Form DSA-103; Required Tests/Inspections MBR
Exhibit E	Pricing Proposal LASS
Exhibit F	Pricing Proposal MBR

2. **Selection Criteria**

2.1. General. Timely submitted RFQ Responses will be independently reviewed by the District. A Response to the RFQ which does not comply with the requirements of this RFQ will be subject to rejection for non-responsiveness. The foregoing notwithstanding, the District expressly reserves the right to waive minor irregularities in any RFQ Response which do not affect the scope of required services, proposed pricing for required services and do not afford the Respondent with an unfair competitive advantage.

- 2.2. District Discretion. The District reserves the right to exercise discretion in the weight and priority of the evaluation criteria.
- 2.3. Relevant Experience and Ability. The Respondent will be evaluated based on experience in providing special test/inspection services for recent projects similar in size, scope, use and complexity as the Project subject to this RFQ.
- 2.4. Responsiveness to RFQ. The District will evaluate the Respondent's RFQ Response for responsiveness to the requirements of this RFQ.
- 2.5. Client Responsiveness. The District will evaluate the prior experience and success of the Respondent to establish effective working relationships with owners, architects, contractors and others on construction projects within the setting of a higher education institution.
- 2.6. Availability. The District will evaluate the availability of the Respondent and its personnel to be dedicated to the Project and completion of special test/inspections for the Project within the District's anticipated schedule. This evaluation will include the demonstrated ability and willingness of the Respondent to promptly provide and complete test and inspection services, whether from a location in close proximity to the District or otherwise.
- 2.7. Price Proposal. The District will evaluate the reasonableness and fairness of the pricing proposal submitted concurrently with each RFQ Response. The District expressly reserves the right to award the Project Test & Inspection Agreement to a Respondent who did not submit the lowest priced proposal.

3. **The District and the Project.**

3.1. The District. The District encompasses the suburban setting of several small communities, as well as the dynamic ambiance of the high technology environment of Silicon Valley. The District's two colleges (West Valley College and Mission College) have different settings, histories, visions, cultures and student clienteles. Both have a sense of momentum and enjoy excellent reputations as quality educational institutions. The District plays a key role in the continuing development of a sophisticated and innovative workforce and the cultural, economic, and educational development of the Greater Bay Area. The District is located in California's San Francisco Bay Area and is composed of two colleges: West Valley College in Saratoga, and Mission College in Santa Clara. Together, they enroll more than 20,000 students. Courses are taught during the day, evening and weekend hours and include face-to-face, online and other distance learning formats. The District employs over 800 full time and 900 part time employees. The total annual budget for the District exceeds 100 million dollars.

3.2. The Project.

4. **RFQ Response**

4.1. RFQ Activities: Timeline. The following is a description of the principal activities to be completed under this RFQ and the timeline for completion of each activity. The following notwithstanding, the District expressly reserves the right to amend the extent, nature or scope of RFQ activities and/or the timeline for commencing/completing RFQ activities.

Date	Activity
Dec. 15, 2011	Mandatory Pre-RFQ Response Meeting. 2:00 p.m.
Dec. 16, 2011	Last day for submittal of questions by email, no later than 4:00 PM
Dec. 21, 2011	District responses to submitted questions, posted at emailed no

	later than 4:00 PM
Dec. 21, 2011	Last day for submittal of RFQ Response, no later than 2:00 PM
Week of Jan. 3, 2012	Interviews
Week of Jan. 3, 2012	Notification to successful Respondent; Notice of Intent to Award
Jan. 17, 2012	Board of Trustees action to award contact

4.2. Submission of RFQ Response.

4.2.1. Latest Date/Time for Submission of RFQ Response. **The latest date/time for submission of RFQ Responses is 2:00 P.M. December 21, 2011.** RFQ Responses which are not actually received in the office of the District's Director of General Services at or prior to the latest date/time for submission of RFQ Responses will be rejected by the District for non-responsiveness. Respondents are solely responsible for the timely submission of RFQ Responses. **Respondents are advised that the District utilizes a centralized mailroom for the receipt of items transmitted by United States Mail and private courier services, including FedEx, California Overnight, DHL, etc. Items received in the centralized mailroom will be distributed to the intended recipients only as part of the mailroom's daily delivery routine. A response to this RFQ which is received in the District's central mailroom will not be deemed received by the office of the District's Director of General Services until delivery of such item is effectuated to the office of the District's Director of General Services. Accordingly, Respondents are encouraged to personally delivery RFQ Responses directly to the office of the District's Director of General Services or to retain a private service to personally deliver RFQ Responses to the Office of the Director of General Services.**

4.2.2. Location for Submission of RFQ Response. RFQ Responses shall be submitted to Brigit Espinosa, Director of General Services, 14000 Fruitvale Avenue, Saratoga, CA 95070.

4.2.3. Errors/Discrepancies/Clarifications to RFQ. If a Respondent encounters errors or discrepancies in this RFQ or portions hereof, the Respondent shall immediately notify Brigit Espinosa, the Director of General Services at telephone: (408) 741-2187, fax: (408) 867-9523, email: brigit.espinosa@wvm.edu of such error or discrepancy. Any Respondent seeking clarification of any portion of this RFQ shall submit the requested clarification in writing to Brigit Espinosa. Responses of the District to any requested clarification will be in writing; if in the sole judgment of the District, any clarification response affects the RFQ or other Respondents, the District will issue the clarification response by a written addendum distributed to all potential Respondents who have theretofore obtained this RFQ from the District. All requests for clarification of this RFQ must be submitted and actually received by Brigit Espinosa **no later than 4:00 P.M., Dec. 16, 2011.** The District will not respond to clarification requests submitted thereafter.

4.2.4. RFQ Response Costs. All costs and expenses incurred by a Respondent to prepare and submit a response to this RFQ and all other related activities shall be borne solely and exclusively by the Respondent.

4.3. RFQ Response Contents.

4.3.1. RFP Response. All materials submitted in response to this RFQ shall be on 8 ½" x 11" paper, preferably in portrait orientation.

4.3.2. Additional Materials. Respondents are not prohibited, but are discouraged, from submitting materials in addition to those specifically responding to the matters noted in Paragraph 4.3.6 below. If a Respondent elects to submit materials with its RFQ Response which are in addition to the matters described in Paragraph 4.3.6 below, the Respondent shall separately bind all such additional materials from the RFQ Response addressing the matters set forth in Paragraph 4.3.6 below.

4.3.3. Copies of RFQ Response. Each Respondent shall submit an original and six (6) copies of their respective RFQ Responses.

4.3.4. RFP Response Format/Contents. Each RFQ Response must conform to the following

described format and must include the content described below. Failure of a Respondent to submit its RFQ Response in a format and with content conforming to the following requirements will be a basis for the District's rejection of such RFQ Response for non-responsiveness.

- 4.3.5. RFQ Response Format. Each RFQ Response shall include the following items, in the order noted below:
 - 4.3.5.1. Cover Sheet. Identify the submittal as the Response to this RFQ and an identification of the firm submitting the RFQ Response along with the firm's address, telephone/fax numbers and email addresses of the firm's principal contacts in connection with this RFQ or the RFQ Response.
 - 4.3.5.2. Letter of Interest. Include a brief letter expressing the interest of the Respondent in providing Project Test & Inspection Services and a brief statement of the qualifications of the Respondent to provide the requested Project Test & Inspection Services. Provide contact information, including the telephone number, fax number and email address for the personnel of the Respondent who will be receiving notices and other communications from the District regarding the RFQ. The letter of interest should be bound with other materials responding to this RFQ.
 - 4.3.5.3. Table of Contents. Include a Table of Contents reflecting the Respondent's responses to each of the items set forth below.
- 4.3.6. RFP Response Contents.
 - 4.3.6.1. Tab 1; Statement of Qualifications. Complete and execute the Statement of Qualifications attached as Exhibit B to this RFQ for the Respondent. If the District determines that the response to any question set forth in the Statement of Qualifications is false, misleading or omits material facts rendering the response to be false or misleading the RFQ Response of the Respondents submitting such a Statement of Qualifications is subject to rejection for non-responsiveness.
 - 4.3.6.2. Tab 2; Financial Statement. If a Respondent elects to provide a California CPA reviewed or audited financial statement in lieu of completing the Statement of Financial Condition portion of the Statement of Qualifications, the Respondent's 2009/2010 FY or 2010 CY financial statement is to be submitted in Tab 2 of the RFQ Response. If a Respondent elects to provide information of financial status by the Statement of Financial Condition portion of the Statement of Qualifications, insert a sheet after Tab 2, indicating: "FINANCIAL INFORMATION PROVIDED IN STATEMENT OF FINANCIAL CONDITION PORTION OF STATEMENT OF QUALIFICATIONS."
 - 4.3.6.3. Tab 3; Relevant Project Experience. Provide additional details of the Projects identified in Paragraph 8 of the Statement of Qualifications which reflect the skills, experience and other qualifications of the Respondent to successfully complete necessary Project Test & Inspection Services for the Project. Include in the discussion of relevant project experience, the experience of the Respondent in providing special test/inspection services for the following: (i) California community college projects; and (ii) projects subject to Division of State Architect ("DSA") review and approval. This section of the RFQ Response shall not exceed fifteen (15) pages.
 - 4.3.6.4. Tab 4; Proposed Project Personnel. Identify the key members of the Respondents' staff that will be assigned to Project Test & Inspection Services for the Project. For each member of the Respondents' organization identified, provide a brief description of the relevant qualifications and background.
 - 4.3.6.5. Tab 5; Insurance Certificates. Provide copies of Certificates of Insurance for each policy of insurance set forth below.

Required Insurance Certificate	Policy	Minimum Coverage Amount
Workers Compensation		In accordance with law

Employers Liability	One Million Dollars (\$1,000,000)
Comprehensive General Liability (including property damage and automobile liability)	One Million Dollars (\$1,000,000) per occurrence/ Two Million Dollars (\$2,000,000) aggregate

- 4.3.6.6. Tab 6; Project Test & Inspection Services Agreement Comments. Included with this RFQ as Exhibit A is the Project Test & Inspection Services Agreement. Respondents must thoroughly review the Project Test & Inspection Services Agreement included herewith and must in their respective RFQ responses identify any term or condition of the Project Test & Inspection Services Agreement which the Respondent requests modification, by amendment to existing provisions, addition of additional provisions or deletion of existing provisions. Where any requested modification consists of amendments to existing provisions or additional provisions, the response to this RFQ must set forth the text of the requested amendment or addition. Any Respondent whose RFQ Response does not identify modifications to terms or conditions of the attached Project Test & Inspection Services Agreement will be deemed to have agreed to all terms and conditions set forth therein.
- 4.3.6.7. Tab 7; Fee Proposal. Provide a fee proposal for Project Test & Inspection Services for the Project; each Respondent must complete and submit the form of Pricing Proposal attached as Exhibit D to this RFQ. **The District may choose to award by Project – LASS and MBR, please submit fee proposals separately for each project.**

[END OF SECTION]