



REQUEST FOR QUALIFICATIONS/ PROPOSALS

MAGNOLIA SCIENCE ACADEMY 5
PRE-CONSTRUCTION AND CONSTRUCTION
MANAGEMENT SERVICES FOR CHARTER
SCHOOL STATE FUNDED MIDDLE & HIGH
SCHOOL NEW CONSTRUCTION PROJECT

**Posted
August 22, 2023**

Submit Responses To:
Mustafa Sahin
Facility Project Manager
Magnolia Public Schools

**RFP Due Date:
September 8, 2023**

No Later Than 5:00 P.M.

MAGNOLIA EDUCATIONAL & RESEARCH FOUNDATION
250 EAST 1ST STREET, SUITE 1500
LOS ANGELES, CA 90012

Magnolia Educational & Research Foundation dba Magnolia Public Schools ("**Magnolia**") is requesting proposals and qualifications for construction management services for work associated with pre-construction and construction management services, bidding and construction of a new two story classroom building, gymnasium and associated site work for Magnolia Science Academy 5, an existing 6-12 charter school in Reseda, California (the "**Project**"). The Project address is 7111 Winnetka Avenue, Winnetka, Ca. Magnolia will pay for the Project with the proceeds from an award from the State Allocation Board and the Office of Public School Construction under the "Charter School Facility Program."

DLR Group is providing design and engineering services for the Project and is the Architect of Record ("**AOR**"). Because the Project will be paid for with the proceeds of a State award, all the typical requirements for a public educational project are applicable. DLR Group has submitted Project plans to the State of California Division of the State Architect ("**DSA**"). Magnolia and the AOR are awaiting comments on the plans and they are expected on or about the end of August 2023.

The purpose of this Request for Qualifications/Proposals ("**RFQ/P**") is to obtain information that will enable Magnolia to select a construction management firm ("**CM**") that can assist bringing the Project budget within the award received from the State of California. More specifically, Magnolia is seeking a CM that will provide feedback and suggestions to the current design and propose alternative construction and delivery methods (including adjustments or modifications to the current design and or modular/pre-fab construction) to bring the Project at or under budget. CM services may also include the procurement of long lead items and the management of the construction of new facilities. Each CM responding to this RFP should be prepared and equipped to provide comprehensive pre-construction and construction management services on behalf of Magnolia in an expeditious and timely manner to enable Magnolia to meet critical time deadlines and schedules. Magnolia desires to achieve occupancy of classrooms by August 2025.

Each CM responding to this RFP should propose services in the form of either (1) construction management only, (2) construction management with multi-prime delivery, or (3) construction management at risk delivery.

Magnolia issues this RFQ/P in compliance, with Section 4529.5 of Chapter 10, Division 5 of the Government Code which states that "[a]ny individual or firm proposing to provide construction project management services pursuant to this chapter shall provide evidence that the individual or firm and its personnel carrying out onsite responsibilities have expertise and experience in construction project design review and evaluation, construction mobilization and supervision, bid evaluation, project scheduling, cost-benefit analysis, claims review and negotiation, and general management and administration of a construction project." Accordingly, Magnolia is requesting proposals from qualified firms to provide comprehensive, professional pre-construction and construction management services in accordance with the information and criteria set forth herein. Extensive California public school experience and knowledge of the State process is sought from candidates submitting proposals in response to this RFQ/P, in addition to other criteria and qualifications as set forth herein.

Proposals shall be in accordance with the "Format for Proposal Submission" as set forth in Section II, below, and must be submitted to the attention of Mustafa Sahin via email by no later than 5:00 pm on September 8, 2023.

In order to allow Magnolia Public Schools to make an informed decision regarding the selection of a consultant among responsible and responsive candidates, the proposal must contain the following elements or evidence that the firm meets or exceeds the requirements stated herein.

I) SCOPE OF WORK

A) GENERAL & PRE-CONSTRUCTION PHASE

- 1) Work with Magnolia's staff, AOR, consultants, general contractors, sub-contractors and all other required vendors for the successful completion of a State of California funded project submitted to the Division of the State Architect ("**DSA**") within the City of Los Angeles jurisdiction;
- 2) Partner with Magnolia and DLR Group, and their respective consultants, to refine the Project scope in order to allow occupancy by the desired dates and within the desired budget;
- 3) Review all current plans and provide feedback and suggestions on bringing the Project at or under the budget identified in this RFP, including changes to the current design and evaluating alternative delivery and or construction methods, including modular/prefab construction;
- 4) Prepare detailed Project budgets and schedules at appropriate intervals;
- 5) Procure long lead items on behalf of Magnolia;
- 6) Assist with obtaining all State, City and Local permits in a timely and expeditious manner, including but not limited to CDE, SAB, OPSC, and LADBS; and
- 7) Work with Magnolia in the coordination and quality control of all project documentation. Prepare progress/status reports for cost, schedule, quality, etc. Reports are required throughout the duration of the Project to be submitted on monthly basis (or as needed) for review by the Magnolia.

B) BID/AWARD CONSTRUCTION MANAGEMENT PHASE

- 1) Assist Magnolia in its efforts to generate local bidder participation in the construction program (whether prime or general contractors);
- 2) Develop and issue project specifications and general conditions in cooperation with AOR and Owner's Authorized Representative;
- 3) Coordinate and conduct project pre-bid conference(s);
- 4) Coordinate with Magnolia and its consultant(s) to document and formally respond to bidder inquiries. Work with the AOR to issue addendum documents for bid packages, when necessary. Advise Magnolia of cost, schedule and construction impacts resulting from the inclusion of addendum documents for bid packages;
- 5) Assist Magnolia and Magnolia's AOR in the issuance of the Notice of Award and Notice to Proceed for each construction contract.

C) CONSTRUCTION MANAGEMENT PHASE

- 1) CM and assigned personnel shall be fully experienced in the coordination of construction projects utilizing identified construction delivery methodologies;

- 2) In conjunction with Magnolia and Magnolia's AOR, coordinate and conduct project pre-construction conferences;
- 3) CM and assigned personnel shall work with Magnolia and its AORs to insure existence and maintenance of complete files of all project documentation which shall include but not be limited to the following: design documents, estimates, bid documents, construction contracts, payment invoices, requests for information ("**RFIs**"), contractor's submittals and shop drawings, change orders, claims, schedules, and correspondence;
- 4) Serve as Magnolia's representative along with other consultants, including Magnolia's AOR and inspectors, for the administration of the construction contract(s) as provided under the general conditions for the Project. When appropriate, make recommendations to Magnolia for exercising Magnolia's prerogatives under the construction contract(s) for the Project;
- 5) Implement and coordinate Magnolia's construction standards. CM and its assigned personnel shall adopt standard procedures for document control and formats as identified for the documents including, but not limited to, bid documents, contract documents, payment invoices, schedules, program status reports, RFIs, change orders, claims, etc. CM, working with Magnolia and its AOR, must assist with the development and maintenance of a cost loaded project schedule detailing all project activities and implement logging and tracking of all project related information, including, but not limited to, contracts, payments, correspondence, and cost worksheet data;
- 6) Attend all regular job-site progress meetings, distribute meeting minutes, unless otherwise noted or agreed to by Magnolia or its other consultants and representative(s);
- 7) Along with the AOR and owner's authorized representative, coordinate activities with inspectors, consultants, testing labs, and other technical inspection and agencies as needed. File and distribute as appropriate all inspection reports;
- 8) Receive and review the Contractor's detailed cost-loaded baseline construction schedule for conformance to the contract requirements. Receive and review the Contractor's detailed "Schedule of Values" for front end loading and compliance with contract requirements. Distribute the approved schedule to Magnolia, Magnolia's AOR, and other involved parties;
- 9) Utilize the Contractor's approved baseline schedule and schedule of values to establish, update, maintain and distribute the project schedule;
- 10) Receive and review contractors' monthly schedule update and progress payment request. Review and confirm monthly contractor payment requests with Magnolia's AOR and inspectors, as needed. Review the progress of construction and observe work in place and stored materials, and evaluate the percentage complete of each activity shown on the contractor's construction schedule. Identify with the contractor any current or potential delay(s) to the completion schedule, and require appropriate contractor corrective action, including submittal of recovery schedule(s), where appropriate or advisable. Review certified payroll and verify compliance with applicable (e.g., administrative) guidelines, as requested or directed by Magnolia, and the financing institution;

- 11) Work with Magnolia's AOR in the evaluation of contractor change order proposals ("**Change Orders**") for time and price, and make recommendations for Magnolia action. Assist Magnolia and the AOR in the negotiation of Change Order cost and time extensions, and requirements for documenting Change Orders, and document packaging pertaining to Change Orders. Provide project cost estimating for Change Orders;
- 12) Prepare, file, and distribute project status reports as requested by Magnolia. Prepare and distribute logs reflecting status of Change Orders, claims, contractor submittals, shop drawings and RFIs;
- 13) Perform a claim entitlement analysis of all contractor claims, including but not limited to, an analysis of the impact on cost(s) and project schedule, and prepare recommendations to Magnolia and the AOR regarding appropriate action and response to contractor claims. If requested by Magnolia, negotiate claims from the contractor on the behalf of Magnolia, including recommendations concerning settlement, in conjunction with and subject to recommendations of Magnolia legal consultants;
- 14) Coordinate the receipt and storage of Magnolia-furnished, contractor installed materials and equipment;
- 15) Assist and coordinate with the AOR and inspectors, as needed, to prepare a "punch list" of items pending substantial and final completion of a project(s). Verify to Magnolia and Magnolia's AOR the contractor(s) completion and corrective action for each punch-list items, and recommend actions in event of contractor's failure to take corrective action or other necessary actions relative to said punch list;
- 16) Schedule, coordinate and assist Magnolia in the occupancy of the completed Project or portions thereof.

D) CONTRACT CLOSE-OUT

- 1) In association with Magnolia's AOR and authorized representatives, receive and review operations and maintenance manuals, and warranties and guarantees as required under the contract provisions.
- 2) In association with Magnolia's AOR and Authorized Representative, receive and review project record drawings and as-builts, and assist the AOR and Contractor in the filing of these documents with Magnolia. (Note: Format of record drawings to be determined for each project, usually hard copy plus AutoCAD and PDF).
- 3) Coordinate and schedule training sessions for Magnolia personnel, and verify that the Contractor's obligations are fulfilled.
- 4) Make a final review of the Project(s) in conjunction with Magnolia's AOR and Authorized Representative at the conclusion of all corrective action. Provide a report to Magnolia indicating whether the work is acceptable under the contract documents (including any addenda or change orders), and recommend final payment and the recordation of a notice of completion in conjunction with Magnolia's AOR and other Magnolia representatives or staff.

- 5) Assist Magnolia and Magnolia's AOR in the preparation and submittal of the final project accounting and closeout report(s) including (but not limited to) all City of Los Angeles, California Department of Education ("**CDE**") and State Allocation Board ("**SAB**")/Office of Public School Construction ("**OPSC**") forms as may be required or needed.

E) POST CONSTRUCTION FOLLOW-UP

- 1) Provide Magnolia and Magnolia's AOR with one (1) year post construction follow-up for Contractor warranty and guarantee items.

II) PROJECT DESCRIPTION

The scope of the Project is the construction of a new campus for MSA-5 at 7111 Winnetka Ave. A map and the ALTA and topographic survey may be accessed via this link – [ALTA and Top Survey](#). Magnolia will use the proceeds of an award from the State of California under its Charter School Facilities Program ("**CSFP**") to construct a new two story building, gymnasium, outdoor learning areas, and all associated site work, offsite improvements and utility service installation as required. Details of the award may be accessed via this link – [Magnolia CSFP Award](#). DLR Group is the AOR and has completed DSA submission. The DSA plans may be accessed via this link – [Magnolia DSA Plans](#).

While the award is for \$50.8 M, approximately \$10.4 M will be used for acquisition, and approximately \$3.5 M will be used for soft costs, leaving \$36.9 M for hard costs (inclusive of all construction costs, including general conditions and CM fees and costs).

Magnolia desires to occupy the Project in time for the 2025-26 school year.

Based on the current estimate received from HLCM, DLR Group's cost estimator, the overall hard costs for the Project are causing the overall Project budget to exceed the award. Therefore, a key part of the services to be provided by the CM will be reviewing the Project design, and making suggestions for cost savings, including adjustments and modifications to the DSA submitted design, and considering, evaluating and recommending alternative methods of construction and delivery, including but not limited to modular and prefab construction. The HLCM estimate can be accessed via the following link – [HLCM Estimate](#).

III) FORMAT FOR PROPOSAL SUBMISSION

A) GENERAL INSTRUCTIONS

All proposals are to be submitted in compliance with the format set forth below and in the order as outlined to facilitate evaluation by Magnolia of the candidate's ability to meet or exceed the specified requirements under the heading "Scope of Work."

The proposals shall be presented in a bound 8-1/2 inch by 11-inch (vertical) format. Submit three (3) hard copies and one (1) electronic copy in PDF format via email of each proposal. All submittals shall

be tabbed for easy referral to the numbered answer. All submittals shall become the property of Magnolia and will not be returned.

Clarifications or questions regarding submittals must be submitted in writing to Mustafa Sahin, via email to msahin@magnoliapublicschools.org. Please include the name of your firm and telephone number when making inquiries. All proposals are due no later than Sep 1, 2023, 5:00 p.m.

SPECIAL NOTE: Individuals and firms responding to the RFP are cautioned to not contact school Board Members, Magnolia leadership, staff or existing consultants without the express permission of Mustafa Sahin or Patrick Ontiveros. Failure to observe these criteria could potentially result in disqualification.

B) FORMAT REQUIREMENTS:

The sequence to be followed is as follows:

1. Cover Page
 - a. Name of Firm
 - b. Project Title – Proposal for Construction Management Services, MSA 5
 - c. Date Submitted

2. General Information
 - a. Name, address, telephone, and e-mail address of firm, name and email for contact persons.
 - b. License number, type of license, State of license or registration;
 - i. Legal form of firm (i.e. corporation, partnership, etc.).
Please state the year your firm or organization was established;
 - ii. Number and names of principals in the firm;
 - iii. Number of employees;
 - c. A short resume of your firm's principals, including registrations/licenses (Please limit to one page per person);
 - d. Short resume of key personnel to be assigned to the Project, included position. Please limit to one page per person, with each resume containing the following information:
 - i. Project-specific responsibilities and description of work to be performed;
 - ii. Estimated percentage of the individual's time that will be devoted to the project;
 - iii. Specific qualifications;
 - iv. Years with the firm;
 - v. Number of projects of similar nature performed by subject of resume;
 - vi. Position held and responsibilities on work of similar nature; and,
 - vii. Education, licenses held, qualification, etc.

3. Provide information to show that your proposed team has suitable resources and time available to ensure satisfactory completion of the Project.

4. Experience in new public school construction projects, highlighting any CSFP funded projects. Please provide a minimum of five (5) completed individual projects.

5. Provide a list of at least three (3) references, including names, addresses, telephone and e-mail addresses of all contact persons with respect to projects which your firm or its senior personnel has worked on within the last ten (10) years, and any other references you wish to provide who may

provide information to Magnolia regarding your firm's qualifications. List the project's owner and contractors for each reference. Please be advised that references will be contacted.

6. Describe recent projects, ideally, public works or K-12 school projects, performed within the last five (5) years for which your firm or its senior personnel provided construction management services. State the estimated project cost (include design, construction and administration) versus actual cost for these projects. Provide all information regarding change orders or other construction cost adjustments relative to each project listed. Describe in full the services provided by your firm.
7. Please indicate experience your firm has with respect to the following:
 - a. **Value Engineering (in particular bringing challenging projects within budget even after the principal design has been completed, including implementing design changes and modifications, and switching to alternative construction and delivery methods)**
 - b. Schedule Management
 - c. Pre-Construction
 - d. Construction Management, including construction management only, construction management with multi-prime delivery, and construction management at risk delivery
 - e. Budget Management
 - f. Construction phasing plan
 - g. Information Technology
 - h. Experience with the following: the City of Los Angeles Department of Building and Safety (LADBS); Los Angeles City Planning; Los Angeles Department of Transportation (LADOT); Los Angeles Department of Water and Power (LA DWP); City of Los Angeles Public Works Department, Bureau of Engineering (BOE); Los Angeles Fire Department; and other applicable city departments and agencies.
 - i. Constructability Reviews
 - j. Estimating Services
8. Briefly describe how your team would plan to work with Magnolia and their other consultants, representatives and/or agents as consultant in the following areas:
 - a. Team work. Describe what tactics you will use to strengthen working relationships between the architect, engineers, contractors, consultants and Magnolia staff.
 - b. Assisting architect and/or engineering firms in public contract compliance (especially with respect to remaining within budget, adhering to schedules, and with respect to project deliverables).
 - c. Construction phasing to coincide with facility needs, as needed.
 - d. Handling changes needed during any of the above phases.
 - e. Claims response, participation in advising mitigation of adverse (or potentially adverse) impacts, and dispute resolution (identify type, e.g., arbitration, mediation, etc.)
 - f. Managing and coordinating the public works bidding process.
 - g. Interfacing with multiple state level and governmental agencies departments.
9. Briefly describe how your firm develops and monitors accurate project design and construction schedules, financial budgets, and cost estimates. Please include methods and philosophy for cost control and change order management for both design and construction phases, as well as construction claims dispute resolution.

10. Insurance Coverage. Each submittal must include a copy of the respondent's Certificate of Insurance. This may be marked confidential and included with the proposal. The firm or organization shall be required to carry the following insurance with Magnolia named as Additional Insured:

- a. Comprehensive General Liability and Property Liability Insurance, with a minimum limit two million dollars (\$2,000,000);
- b. Comprehensive Automobile Liability Insurance, including owned, non-owned, and hired vehicles with minimum limit of one million dollars (\$1,000,000);
- c. Workers' Compensation and Employer Liability, statutory limit;
- d. Professional Liability Insurance with minimum one million dollars (\$1,000,000) per claim per annual aggregate. Deductible not to exceed \$25,000 each claim; and
- e. Such other insurance as Magnolia may reasonably request.

Note: All insurance must be issued by an insurance provider by an admitted carrier (licensed to do business in the State of California), carrying a rating of not less than A-VII in the most current A. M. Best's Insurance Guide – Property Casualty or otherwise acceptable to Owner.

11. Provide a complete list of construction related litigation within the past five (5) years involving your firm. Indicate whether your firm or any predecessor firm has filed for protection under the United States bankruptcy code within the last seven (7) years. If so, provide the name of the court where filed, the case title, and the disposition of the case.

ALL RESPONSES MUST BE RECEIVED BY 5:00 PM, SEPTEMBER 8, 2023

Proposals must be concise, straightforward, and must address each requirement and question.

Magnolia reserves the right to negotiate modifications with any firm as may be required to serve the best interests of Magnolia and to negotiate the final contracts with the most qualified candidates.

All proposals will become the property of Magnolia. Information in Proposals will become public property and subject to disclosure laws. Magnolia reserves the right to make use of any information or ideas in the proposals. All proposals will be maintained as confidential working papers until officially placed on the School Board meeting agenda.

Magnolia reserves the right to reject any and all proposals and to waive any informality in any proposal received. No obligation, either expressed or implied, exists on the part of Magnolia to make an award or to pay any costs incurred in the preparations or submission of a proposal. All costs associated with the preparation or submission of proposals for this RFP is solely the responsibility of the candidates.

IV) BUDGETARY ESTIMATE FOR FEES:

- A) Provide the hourly rate for each proposed job classification, and any others that may become necessary due to additional services.

- B) Provide a fully loaded fee schedule for construction management services for the project as detailed in Section II, Project Description, specifying the proposed CM services (CM only, CM-MP or CM@Risk or a fee for each alternative). Please provide an estimate and breakdown of reimbursable expenses.

V) EVALUATION OF PROPOSALS AND RECOMMENDATION:

- A) Process: All RFP responses will be read and evaluated by a committee of Magnolia home office staff and MSA-5 staff. Overall responsiveness and representations made within the RFP, as well as CM's firm's ability to connect with the MPS team are important factors in the overall evaluation process. MPS will select a firm that has the highest suitability for the work with MPS and the overall desirable approach.
- B) Award: Magnolia reserves the right to reject any and all proposals; to waive any informality in the proposal process; and to accept the proposal that appears to be in its best interests. Staff will make a recommendation to the Board of Directors to award a contract to the selected Vendor. The Board of Magnolia Public Schools will vote to award the contract at its ad hoc committee or regularly scheduled meeting.
- C) Questions and Submission: Please feel free to direct questions to Mustafa Sahin, Project Manager, by email, as shown below, or Patrick Ontiveros, Director of Facilities and Real Estate at pontiveros@magnoliapublicschools.org.

All proposals are due no later than 5:00 pm September 8, 2023 **via email** as indicated below. Please deliver three (3) hard copies in care of the MERF home office address by September 11th, 2023 no later than 5:00 pm as follows:

Mustafa Sahin
Facilities Department
c/o Magnolia Education & Research Foundation
250 E 1st Street, Suite 1500
Los Angeles, CA 90012
msahin@magnoliapublicschools.org