

REQUEST FOR PROPOSALS NO.
FOR
PROGRAM MANGEMENT SERVICES AND
ON-GOING CONSTRUCTION MANAGEMENT SERVICES

RFP #13-0506

LATEST DATE/TIME
FOR SUBMISSION OF
RFP RESPONSES :

March 4, 2005, 4:00 P.M.

CONTACT:

Brigit Espinosa
Administrator in Charge – Facilities Planning
West Valley Mission Community College District
14000 Fruitvale Avenue
Saratoga, California 95070
(408) 741-2187
Brigit_espinosa@wvmccd.cc.ca.us

An electronic file of this RFP may be obtained or viewed at
www.wvmccd.cc.ca.us/wvmccd/facilities.

\$235 million PLA Threat?

Upscale suburban area in South Bay:

Saratoga, Los Gatos, Santa Clara, Monte Sereno.

Tom Campbell and Jim Lammien represented this area.

**REQUEST FOR PROPOSALS FOR
PROGRAM MANAGEMENT SERVICES
AND ON-GOING CONSTRUCTION MANAGEMENT SERVICES**

RFP #13-0506

1. REQUEST FOR PROPOSALS

1.1. Background; Measure H and the Projects. On November 2, 2004, the electorate within the District's geographic boundaries approved a general obligation bond known as Measure H. The proceeds from Measure H Bonds will be utilized by the District to plan, design and construct a number of projects, primarily in the areas of infrastructure development and upgrades along with modernization of existing District facilities. Limited portions of the Measure H Bond proceeds will be applied to planning, design and construction of new facilities. The District may "bundle" capital outlay/ maintenance funds from the state and other sources along with local Measure H funds to finance a project. The modernization and capital outlay projects subject to this RFP, whether funded by Measure H proceeds or the proceeds of state appropriated proceeds are collectively referred to in this RFP as "the Projects" or "the Building Program."

1.2 Agreements for Program Management Services and Construction Management Services. Though this RFP, District intends to award two separate contracts to a single firm, a Program Management Agreement and a Construction Management Agreement. The specific scope of Basic Services under the Program Management Agreement and the Construction Management Agreement are described in the forms of those Agreements which are respectively attached to this RFP as Attachment D (Program Management Agreement) and Attachment E (Construction Management Agreement). **Proposals responding to this RFP must be submitted by a firm which demonstrates the skills, experience, capacity and resources necessary to provide and perform the Basic Services under both the Program Management Agreement and the Construction Management Agreement.**

As a general matter, the Basic Services under the Program Management Agreement consists of a number of tasks and activities to be completed by the Program Manager to establish an organizational structure for the Building Program, develop budgets, schedules and procedures for implementing the Projects within the Building Program and other general support necessary to develop an organizational structure and procedures to implement the Building Program. Thereafter, during the Term of the Program Management Agreement, the Program Manager will provide continuing services to support the Building Program, including services to maintain, update and revise budgets, schedules and procedures.

The scope of Basic Services under the Construction Management Agreement will vary from Project-to-Project. The Construction Management Agreement establishes fundamental Basic Services that the Construction Manager may be requested to provide in connection with a Project. The specific scope of Basic Services for a specific Project and pricing for those Basic Services will be established on a Project-by-Project basis and reflected in a Project Assignment Amendment to the Construction Management Agreement for that Project.

The District. The West Valley-Mission Community College 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 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 budget for the District exceeds 100 million dollars.

1.4 The Projects. In 2001, the District's Board of Trustees approved the current Educational and Facilities Master Plan. A primary objective of the Educational and Facilities Master Plan is, "To provide the foundation for a facilities plan that supports the anticipated courses, programs and services of the college for the next decade and to assure that the plan is flexible enough to accommodate changes in instructional methodology, technology and delivery systems."

The District has commenced implementation of certain of projects which are funded in whole in part through Measure H proceeds and/or state appropriated maintenance/capital outlay proceeds ("the Pending Projects"). Basic Services under the Program Management Agreement and the Construction Management Agreement exclude services relating to the Pending Projects.

Campus	Pending Project Description	Architect	Status
West Valley College	Fox Center	Steinberg Group	Preliminary Planning
	Math & Science Addition	KBZ Architects	Preliminary Planning
Mission College	3 rd Floor Remodel	HMC	Working Drawings Submitted to

Measure H web page design, the Program Manager shall develop proposed content for the Measure H web page for review and acceptance. Posting of the District accepted Measure H web page content, posting of the Measure H web page as a link on the District's website shall be by the District and the District's webmaster.

- 1.9.3. Updates of Website Content. During the Term of this Agreement, the Program Manager shall provide the District webmaster and/or the District Public Information Officer with weekly updated/ revised content for incorporation into the Measure H webpage. As requested by the District or as dictated by the circumstances, development of updated/revised Measure H webpage content by the Program Manager may be required more or less frequently than on weekly basis.
- 1.9.4. District Discretion. Notwithstanding the District's acceptance of the Program Manager's Measure H updated/revised webpage content, the District shall have the sole reasonable discretion to modify the Measure H webpage content at any time during the Term of this Agreement.
- 1.9.5. Assignment of Intellectual Property Rights. Notwithstanding any provision of law to the contrary the Program Manager assigns to the District all right, title and interest in and to any intellectual property rights reflected in any of the work product resulting from the Program Manager's development of the Measure H web page design and contents are deemed assigned to the District; the foregoing assignment shall be effective without further action by the Parties. If any action of the Program Manager or the District is required to effectuate the foregoing assignment, the Program Manager shall cooperate with the District in effectuating an assignment of such intellectual property rights to the District and/or perfecting the District's intellectual property rights resulting from such assignment.

1.10. Labor Relations.

- 1.10.1. General. During the Term of this Agreement, the Program Manager shall assist the District in maintaining harmonious labor relations between the District and the various consultants, vendors, contractors and others providing work, labor, materials or services to design, bidding or construction of the Projects. In addition to specific responsibilities of the Program Manager in connection with labor relations as set forth hereinbelow, the Program Manager shall routinely monitor the status of the Projects to mitigate any potential adverse impact of such disputes, disagreements or controversies to the timely completion of design, bidding and construction of the Projects.

- 1.10.2. Project Labor Agreement. If during the Term of this Agreement the District considers entering into one or more Project Labor Agreements with building trade labor organization or the District is requested by a building trade labor organization to consider a Project Labor Agreement in connection with construction of some or all of the Projects, the Program Manager shall assist the District in reviewing, evaluating and negotiating terms and conditions of such Project Labor Agreements.

