



# THE SCHOOL DISTRICT OF PHILADELPHIA

**Office of Capital Programs**  
440 North Broad Street, 3<sup>rd</sup> Floor  
Philadelphia, PA 19130-4015

## REQUEST FOR PROPOSALS

### PROFESSIONAL ARCHITECTURAL DESIGN SERVICES: ANDREW HAMILTON SCHOOL – MAJOR RENOVATION

#### 1.0 Subject

The School District of Philadelphia (SDP) is requesting proposals from professional firms for design services for a **Major Renovation at Andrew Hamilton School** located at **5640 Spruce Street, Philadelphia, PA 19139**.

The School District of Philadelphia was designated a distressed school district on December 21, 2001 pursuant to the Pennsylvania Public School Code (“PSC”), 24 P.S. §6-691(c). The School Reform Commission (“SRC”) has been established pursuant to PSC, 24 P.S. §6-696, and is responsible for the operation and management and educational program of the SDP pursuant to PSC, 24 P.S. §6-696(e)(1).

The Office of Capital Programs (OCP) is responsible for identifying and prioritizing capital work within the SDP. OCP shares responsibility for the long-term upkeep and replacement of critical building systems over 25.6 million square feet including nearly 500 buildings, annexes, administrative buildings and athletic fields. OCP works closely with the Office of Facilities and Maintenance, the Office of Environmental Management Services, the Office of Real Property, and the Office of General Counsel.

The School Reform Commission adopted the Capital budget for FY 2018 on May 25, 2017. The basis for the budget is the sale of bonds usually repayable with interest over 30 years. The Capital budget is the basis for the multi-year Capital Improvement Program (CIP). Projects are selected for inclusion in the CIP using building condition assessment reports, work order and deferred maintenance data, input from field maintenance employees and school administrators, and the priorities identified in the Superintendent’s Strategic Action Plan. CIP priorities include maintaining the physical integrity of existing facilities, upgrading existing facilities to meet code requirements and educational program needs, replacing systems that have exceeded their lifecycle, and constructing new facilities and additions.

## 2.0 Place and Date of Submission

One (1) original and four (4) copies each of the Technical Proposal and Fee Proposal shall be submitted in separate sealed envelopes clearly marked: “**Architectural Services for Major Renovation at Hamilton School – TECHNICAL PROPOSAL - Due 06/01/2018**” and “**Architectural Services for Major Renovation at Hamilton School – FEE PROPOSAL - Due 06/01/2018**” with the name of the Proposer’s firm and their address.

Faxed and Electronically Transmitted Proposals shall not be accepted.

**Responses must be received no later than 2:00 pm, Friday, June 1, 2018.**

The Proposal shall be addressed to:

The School District of Philadelphia  
Office of Capital Programs, Suite 371, Office 3165  
440 North Broad Street  
Philadelphia, PA 19130  
Attn: Jerry Thompson

## 3.0 Communications

All questions must be submitted in writing via e-mail to Jerry Thompson, Contracts Manager, [gcthompson@philasd.org](mailto:gcthompson@philasd.org). The subject line must include the name of the Project: “Proposals for Architectural Services for Major Renovation at Hamilton School.”

**The deadline for all questions is 2:00 pm, Wednesday, May 23, 2018.** All responses for every inquiry, including amendments to this RFP, will be provided and posted on the Office of Capital Programs website which can be accessed by clicking on the following link: <http://webgui.phila.k12.pa.us/offices/c/capital-program-bids/rfps>.

The SDP will not be bound by any oral communications. From the date of the release of the RFP to the date of authorization of a contract, there shall be no communication concerning the RFP between prospective respondents and/or their agents or staff with any SDP staff, except as provided in the RFP. Communication with other SDP staff is expressly prohibited. Any communication in violation of this provision will not be binding on the SDP and shall be grounds for immediate disqualification.

## 4.0 Walkthrough

A mandatory walk-through of the project site for Proposers is scheduled for **Friday, May 18, 2018 at 2:00 PM** at the following location:

**Andrew Hamilton School  
5640 Spruce St.  
Philadelphia, PA 19139**

All Proposers shall assemble at the entrance lobby. Each firm is limited to a maximum of three (3) representatives.

## 5.0 Selection Process Schedule

|                           |                                 |
|---------------------------|---------------------------------|
| RFP Issued                | 5/11/18                         |
| Walkthrough               | 5/18/2018 @ 2:00 PM             |
| Questions Due             | 5/23/2018 @ 2:00 PM             |
| Proposal Due              | 6/01/2018 @ 2:00 PM             |
| Notification of Finalists | 6/08/2018                       |
| Design Team Presentations | 6/11/2018 & 6/12/2018, Time TBD |
| Final Selection of Firm   | 6/15/18                         |

## 6.0 Budget

The current estimated construction budget is **\$8,500,000**.

The budget has been established based on preliminary planning performed by the SDP Office of Capital Programs. It is the obligation of the selected firm to design the Project within the budget restrictions established for the Project.

## 7.0 Project Intent & Scope of Work

### Goals

The School District of Philadelphia intends to provide **Andrew Hamilton School**, located at **5640 Spruce Street** in Philadelphia, with a **Major Renovation**.

The goals of the project include:

1. Provide physical and technological upgrades to classrooms to support strategies for 21<sup>st</sup> Century Learning;
2. Address deferred maintenance of building systems.

Additional background and the scope of work for this project is located in the "Scope Determination Report" in Exhibit "A." This report is provided as a guide of anticipated scope items. The successful Proposer shall be fully responsible to verify existing conditions in the field and confirm scope of work.

The Facility Condition Assessment report is provided in Exhibit "B."

Existing drawings are provided in Exhibit "D." SDP does not guarantee the completeness or accuracy of existing drawings.

## 8.0 Phases of Service

The following list provides an overview of deliverables. Phases of services and deliverables shall comply with the requirements described and detailed in the Sample Contract as noted in Attachment A. Documents shall be coordinated for bidding under separate contracts per Public School Code.

Services include but are not limited to:

- Schematic Design (25%): In addition to typical schematic design activities, phase to include, at minimum, survey of existing facility and systems, confirmation of program and scope of work, and biweekly design progress meetings. Submission shall document existing conditions as well as aesthetic and functional intent of new work through drawings and narrative with outline specifications and a preliminary detailed construction cost estimate;\*
- Design Development (60%): In addition to typical design development activities, phase to include, at minimum, design charrette with SDP students and staff, presentation of finish board and renderings and biweekly design progress meetings. Submission shall document selection and sizing of all building and construction components, required calculations, updated specifications and detailed construction cost estimate;
- Construction Documentation (90%): In addition to typical construction documentation activities, phase to include, at minimum, biweekly progress meetings. Submission shall provide all project details with final specifications, phasing plan and detailed construction cost estimate;
- Bid Documentation (100%): Submission shall provide a complete set that can be used for regulatory approvals, bidding and construction;
- Meeting documentation and dissemination of minutes for all design meetings after kick-off;
- Budget reconciliation at all phases of design;
- Value Engineering services;
- Preparation and submission of all required permit applications including full participation during all city, state and federal government agency reviews and prerequisite approvals;\*\*
- Bidding and Construction Administration including meeting documentation and dissemination of minutes for all construction meetings;
- Participation in all closeout activities including commissioning and start-up of major building systems and equipment;
- Participation in one-year post construction and warranty reviews.

Reimbursable Services:

- Retain a licensed electrician to survey existing panels, circuitry and breakers to confirm circuitry routing for terminal equipment and remaining capacity of panel boards to serve new and upgraded equipment.

\* All cost estimates at all phases shall be in CSI Masterformat. Please see Exhibit "C" for cost estimate cover sheet to accompany each detailed cost estimate.

\*\*Except as specifically indicated otherwise, the selected firm shall be responsible for all research, documentation and filing for approvals required of regulatory agencies for the Project. The design developed by the selected firm and its consultants shall be in compliance with all required codes and regulations, and the design documents shall clearly indicate the code requirements that affect the design and the method in which the design complies with the code and regulatory requirements. When code and regulatory requirements are vague, are subject to interpretation or conflict with other code and regulatory requirements, the selected firm shall be responsible for obtaining and documenting interpretations and decisions from the proper regulatory agencies in a timely manner so that the interpretations and decisions will not adversely affect the progress of the design.

A number of approvals may require presentations made to public commissions, and the selected firm shall properly prepare for such presentations including practice sessions of the presentation made to SDP representatives.

The selected firm shall schedule consultations and meetings with regulatory agencies as soon as possible in the design process. Required changes to designs that result from reviews by these agencies shall not be considered as grounds for extension of time to the Project Schedule or modification to the selected firm's compensation for the design.

The following are typical regulatory agency approvals required for SDP projects (This list does not necessarily include all required approvals):

- City of Philadelphia Water Department
- City of Philadelphia Streets Department
- City of Philadelphia Art Commission
- City of Philadelphia Historic Commission
- City of Philadelphia Planning Commission
- City of Philadelphia Zoning Commission
- City of Philadelphia Health Department
- City of Philadelphia Department of Licenses and Inspection
- City of Philadelphia Fire Department
- Philadelphia Parks and Recreation
- NPDES through the Pennsylvania Department of Environmental Protection
- Utility Companies such as PECO and Philadelphia Gas Works (PGW)

In addition, the School District of Philadelphia coordinates PlanCon approvals through the Pennsylvania Department of Education. The selected firm shall work with and furnish data and information to the SDP and attend review meetings at the Department of Education related to this process.

## 9.0 Proposal Requirements

### 9.1 Technical Proposal Requirements

Technical Proposals shall provide the following required information. Organize the proposal to provide section tabs as noted.

#### Introduction (no tab required)

- a. Provide a cover letter explaining the Proposer's understanding of the Scope of Services and a narrative as to why it is qualified to undertake the services described herein. The cover letter shall be signed by an individual authorized to contractually bind the proposal.
- b. Provide a Table of Contents.

#### Tab 1 – Project Experience

- c. Describe completed projects (up to five) of comparable type, scope and complexity. Include a project summary, design period, year completed, construction budget, and construction cost. Include photographs, renderings and drawings as necessary to describe project scope and design innovations applied. Highlight projects on which the proposed firm and consultants have worked together successfully. Highlight publicly bid projects.

- d. Describe the proposed team’s experience leading student and community design charrettes and incorporating outcomes into project design;
- e. Describe the Proposer’s experience coordinating phased projects in occupied existing buildings.
- f. Describe the proposed team’s experience incorporating sustainable design and construction strategies into projects of similar scale and complexity with minimal impact to the budget.
- g. Describe the Proposer’s procedures for incorporating client input and standards into the design and construction process.
- h. Describe the proposed team’s history of successfully, and seamlessly, working together on projects of comparable type, scope and complexity. Describe the Proposer’s procedures, including QA/QC, for producing coordinated drawings between the Proposer’s firm and its consultants.
- i. Describe the Proposer’s firm’s experience and ability to design a project with strict adherence to the proposed budget. Describe the Proposer’s firm’s approach to and experience with performing value engineering.
- j. Describe the Proposer’s familiarity and experience with the permitting process in the City of Philadelphia.
- k. Describe the Proposer’s firm’s experience with and process to minimize change orders and change order costs during construction.
- l. Describe the Proposer’s firm’s experience and ability to meet or reduce proposed schedules; any techniques that have been used to reduce proposed schedules should be explained in detail. Describe the Proposer’s firm’s method to assist in construction administration to meet the construction completion dates.

Tab 2 – Project Organization and Personnel Qualifications

- a. Provide an organizational chart of the team being proposed including all personnel and consultants. The chart should describe the organizational structure indicating how the team will be managed and who holds key decision-making ability. The chart should include all individuals involved at any point in the project and indicate those roles that will not be required for the entire duration of the project.
- b. Provide resumes of all key personnel that will perform the required services. Include experience on similar projects, professional certifications, and technical expertise. Key personnel may include but are not limited to: Principal, Project Manager, Project Architect, Construction Administrator, Interior Designer, Educational Planner, Landscape Architect, Civil Engineer, Mechanical Engineer, Plumbing Engineer, Structural Engineer, Fire Protection Engineer, Specification Writer, and Cost Estimator.
- c. Provide two references for each key team member including current telephone numbers for persons with whom they have had professional dealings within the last three years.
- d. Provide copies of certificates proving professional registration in the State of Pennsylvania of all staff and consultants who will sign and stamp the contract documents.

Tab 3 – Project Approach

Provide a narrative describing the Proposer’s approach to the project including the following:

- o Indicate a clear understanding of project goals and objectives;
- o Describe approach for verifying the scope of work;

- o Highlight elements of the scope of work that stand out as opportunities for design innovation and / or potential obstacles to project success;
- o Describe how specialized expertise of key personnel will be deployed on the project;
- o Describe initial design concepts;
- o Describe approach to phasing;
- o Describe in detail techniques that will be used to meet or reduce the schedule defined in the scope of work including a bar chart;
- o Describe in detail techniques that will be used to meet or reduce the budget defined in the scope of work.

Tab 4 – Project Schedule and Plan

Utilize the milestones provided below to provide a summary-level Critical Path Method schedule from design through construction administration and project close-out. Integrate critical design activities and all relevant approvals. Illustrate an understanding of SDP processes, required project approvals, and duration for design reviews.

|                                   |                             |
|-----------------------------------|-----------------------------|
| <b>Board of Ed. Resolution</b>    | <b>July/Aug 2018</b>        |
| <b>Design NTP</b>                 | <b>8/31/18</b>              |
| <b>Schematic Design Due</b>       | <b>10/26/18</b>             |
| <b>Design Development Due</b>     | <b>1/18/19</b>              |
| <b>Construction Documents Due</b> | <b>3/29/19</b>              |
| <b>Bid Documents Due</b>          | <b>5/10/19</b>              |
| <b>Advertisement</b>              | <b>5/31/19</b>              |
| <b>Bid Date</b>                   | <b>7/2/19</b>               |
| <b>Board of Ed. Resolution</b>    | <b>Aug 2019</b>             |
| <b>Construction</b>               | <b>Sept 2019 – Aug 2020</b> |

Tab 5 – Proof of Current Insurance Coverages

Provide Certificate(s) of Insurance reflecting current insurance coverage of the Proposer's firm for the following:

1. Workers' Compensation and Employers' Liability Insurance
2. Commercial General Liability Insurance
3. Automobile Liability Insurance
4. Professional Liability Insurance
5. Excess Umbrella Insurance

Successful Proposer(s) must provide evidence of current insurance coverage prior to execution of the contract. The amounts and types of such insurance coverages are indicated in the Professional Design Services Contract (see Attachment A).

Tab 6 – Good Standing or Subsistence Certificate

All Proposers must submit a copy of their firm's Good Standing or Subsistence Certificate issued by the Pennsylvania Department of State, Corporation Bureau. Certificates may be ordered online or by calling (717) 787-1057. Proposers may have to register their companies before ordering.

Tab 7 – Completed Executed Forms & Attachments

Proposers shall complete the attachments as follows:

- o *Architect-Engineer Qualifications Form*

The Proposer must submit a completed SF 330 Architect-Engineer Qualifications form. Standard Form 330 and related instructions can be downloaded here:

<https://www.gsa.gov/portal/forms/download/116486>.

- o *Agreement to Contract Terms and Conditions*  
The Proposer shall review the sample contract (Attachment A) and complete the attached form acknowledging that they are in agreement with SDP's Professional Services Contract and no changes will be made to the Contract.
- o *City of Philadelphia Tax Compliance*  
Provide a copy of the Proposer's "Certificate of Tax Clearance" with the City of Philadelphia. Search for the firm's tax compliance status at this link: <https://secure.phila.gov/revenue/TaxCompliance>. If the firm is compliant, print and attach the certificate. If the firm is not compliant, please contact the City Revenue Department Tax Clearance Unit at (215) 686-6565.
- o *Anti-Discrimination Policy & Equal Opportunity Non-Discrimination Notice*  
The Proposer must sign the form (Attachment B) acknowledging and agreeing to adhere to the District's Anti-Discrimination Policy.
- o *M/WBE Participation Plan Form*  
The Proposer must complete the M/WBE Participation Plan form (Attachment C). Respondent to this RFP will include 15%-20% sub-consultant participation with either a minority-owned business enterprise(s) and/or with a woman-owned business enterprise(s).

Tab 8 – Acknowledgment of Receipt of Addenda (if any)

The Proposer will acknowledge and list the number of addenda received.

Tab 9 – Company's Financial Statements

The Proposer must submit the firm's most recent audited financial statement, which shall include, at a minimum, a balance sheet, related statements of income and retained earnings, cash flows, and footnotes.

**6.2 Fee Proposal Requirements – See Attachment D**

The method of compensation shall be based on the Percentage of Construction Cost Method. The final fee shall be adjusted based on the actual low construction bid amount. Hourly rates will be utilized for additional services. The Proposer shall complete all pages of the fee proposal.

**10.0 Selection Procedure & Evaluation Criteria**

A responsive proposal is complete and addresses all requirements of the RFP. Each proposal will be reviewed by the SDP selection committee to determine responsiveness. Proposals deemed non-responsive will be rejected without evaluation. The SDP reserves the right to reject any or all proposals when such rejection is in the best interest of the SDP. The SDP reserves the right to waive any informalities and technicalities in the RFP process or any non-material defects in proposals. The SDP may at any time terminate the RFP process provided for herein for any reason or no reason at the sole discretion of the SDP. The receipt of proposals or other documents by proposers during any state of the RFP process shall in no way obligate the SDP to enter into any agreement with any proposer or make the SDP liable for any proposer costs. The SDP may alter these and any other procedures as it deems necessary and appropriate.



If for any reason whatsoever the SDP rejects any proposer's proposal, the proposer agrees that it will not seek to recover lost profits on work not performed nor will it seek to recover its proposal preparation costs. By submitting its proposal, the proposer expressly states that it intends to be legally bound and accepts the limitation of remedies set forth in this paragraph. By submitting its proposal, the proposer further expressly states that should it file, initiate, or persuade another to file, initiate or in any other manner pursue or encourage any lawsuit or that such filing, initiating, or other pursuit constitutes a breach of its agreement with the SDP and that it will be liable for damages incurred by the SDP arising from the breach of this agreement including, but not limited to, the SDP's attorneys' fees and costs of defending such action.

**Selection - Stage 1:**

Proposals shall be evaluated by a selection committee. Each member of the selection committee will assign a score to the proposal based on the following evaluation criteria:

- A. Technical competence and qualifications of the Proposer's firm as evidenced by professional experience in the satisfactory performance of design services for projects of comparable size, building type and complexity;
- B. Technical competence and qualifications of the assigned personnel as evidenced by the education and experience of key team members in providing the services described herein;
- C. Project approach including preliminary design ideas, schedule control and budget control;
- D. The quality of references from past or current clients, preferably regarding projects of comparable type, size, and complexity to the projects described herein;
- E. History of Proposer in successfully meeting schedules and budgets with special consideration for minimizing change orders and coordinating phased construction in occupied buildings;
- F. Meeting of M/WBE goals required in Attachment C.

Each Proposer's firm will receive a ranking based on the selection committee's scores. A limited number of firms (to be determined by the SDP) with the highest-rated technical proposals will be selected as finalists and invited to make a presentation to the selection committee. **Proposers must be prepared to make a presentation on the date noted in Section 5.0.** Project managers and key personnel are expected to attend the presentations. The finalists shall be prepared to present and respond to questions on preliminary design solutions, approach to major architectural and building systems, unique qualifications of the Proposer's firm, cohesiveness of proposed team, and approach to schedule and budget control. The selection committee will once again evaluate each firm using a pre-established scoring rubric.

**Selection - Stage 2:**

The fee proposal of the highest-rated firm will be opened and the SDP will enter into fee negotiations. (Fee proposals for the other firms will not be opened until such time as the firm in question has been selected for fee negotiation.)

If the SDP cannot reach an agreement on fee with that firm, negotiations with that firm shall be terminated. The fee proposal of the next highest rated firm will be opened and fee negotiations with that firm commenced.

The process will be repeated as necessary until agreement is reached or the SDP elects to terminate this solicitation.

**Notification of Award**

Selected Prime Proposer(s) shall be approved by the School Reform Commission, after which the SDP will notify the successful Prime Proposer(s) of the award and prepare and distribute the necessary documents for execution. The unsuccessful Prime Proposers will be notified by letter after the awarding of the contract.

**ATTACHMENT A**  
**SAMPLE PROFESSIONAL DESIGN SERVICES CONTRACT**

The “Professional Design Services Contract” shall serve as a “sample” document for the Proposer(s) to review. Said “sample” contract shall not be construed as a contract between the Prime Proposer and the SDP. The “sample” contract is posted under the heading for this RFP at the following link:

<https://www.philasd.org/capitalprograms/programsservices/contracts/current-rfps-requests-for-proposals/>

**I have read the sample “*Professional Design Services Contract*” and agree to enter into a Contract for this Project under the Terms and Conditions of the Contract and will not take any exceptions to the Terms and Conditions.**

Proposer’s Firm Name: \_\_\_\_\_

Corporate Seal:           Affix Here

Signature: \_\_\_\_\_ (Principal / Owner)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT B**  
**ANTI-DISCRIMINATION POLICY**  
**of the**  
**SCHOOL DISTRICT OF PHILADELPHIA**  
**ADOPTED NOVEMBER 14, 2007**

**SECTION 1. THE POLICY**

It is the policy of the School District of Philadelphia (the "District") acting through and by the School Reform Commission (the "SRC") to ensure equal opportunity in all contracts let by the District (the "Contracts"). In light of this policy, the District has adopted this Anti-discrimination Policy (the "Policy") which is applicable to all Contracts, including but not limited to, Contracts for the design, development, construction, operation and maintenance of school buildings and other buildings and structures owned, leased or used by the District or its contractors, assignees, lessees and licensees (the "Facilities"); Contracts for professional services and Contracts for the purchase of goods, services, supplies and equipment for the District and the Facilities. The objective of the Policy is the promotion of prime contract and subcontract opportunities for minority and woman-owned business enterprises ("M/W/BEs") that are approved by the District or that are certified by the Minority Business Enterprise Council of the City of Philadelphia, Southeastern Pennsylvania Transportation Authority or any other certifying agency designated by the District in its discretion.

The fundamental requirement of the Policy is that all contractors, vendors and consultants that contract with the District (the "Contractors"), satisfy the District that they will: (1) not discriminate against any person in regard to race, color, religion, age, national origin, sex, ancestry, handicap or disability; and (ii) provide a full and fair opportunity for the participation of M/W/BEs in Contracts. Contractors must demonstrate that the participation of M/W/BEs is "meaningful and substantial" in all phases of a Contract under criteria adopted by the District. "Meaningful and substantial" shall be interpreted by the District as meaning the range of participation that reflects the availability of bona fide M/W/BEs in the Philadelphia Metropolitan Statistical Area. Participation shall be measured in terms of the actual dollars received by M/W/BEs.

As used in this Policy, the word "Contractors" includes any person, firm, partnership, non-profit corporation, for-profit corporation, Limited Liability Company or other legal entity that contracts with the District.

For purposes of this policy, "minority person" refers to the following: African American or Black (persons having origins in any of the Black racial groups of Africa); Hispanic American (persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin regardless of race); Asian American (persons having origins from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kiribati, Juvalu, Nauru, Federated States of Micronesia, Hong Kong, India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka); and Native Americans (which includes persons who are American Indians, Eskimos, Aleuts or Native Hawaiians).

**SECTION 2. PROCEDURES FOR IMPLEMENTATION**

1. Articulation of the Policy. Staffing and Reporting

The Office of General Counsel and Office of Small Business Development will develop language to be included in bid solicitations and requests for proposals that clearly sets forth the objective of the Policy (the "Solicitation

Language"). District employees shall include the Solicitation Language in all bids, public solicitations, requests for proposals and all communications to potential Contractors, including those who wish to provide professional services to the District. The Policy shall be articulated to the public in general, and to each Contractor, assignee, lessee or licensee doing or seeking to do business with the District. The District may employ additional staff or contract with other public or private entities to assist in the implementation of the Policy. SBD shall provide the SRC with annual reports on the level of M/W/BE participation in all contracting activities.

## 2. Promotion of M/W/BEs

The District recognizes the importance of having meaningful and substantial M/W/BE participation in all Contracts. To that end, the District will take steps to ensure that M/W/BEs are afforded a fair and equal opportunity to participate. Those steps may include but are not limited to: (i) making public contracting opportunities; (ii) advertising in newspapers and periodicals published by community-based organizations and M/W/BEs; and (iii) designing bid packages in such a way as to promote rather than discourage M/W/BE participation.

## 3. Contracting Requirements

### a. *Bids, Request for Proposals, and Public Solicitations*

Prior to the dissemination of any bid, request for proposals or public solicitation (the "Solicitation"), the applicable contracting department of the District shall submit proposed ranges of M/W/BE participation in the area to be bid (the "Participation Range") to SBD for approval. The Participation Range, as approved by SBD, shall be included in each Solicitation and, if applicable, the Solicitation shall include the names and addresses of bona fide M/W/BEs that are available for contracting or joint-venture opportunities. Each bidder or respondent shall be required to submit: (i) a plan with its bid or proposal that meets the Participation Range set forth in the Solicitation and lists the names, addresses, dollar amounts and scope of work to be performed by M/W/BEs (the "Participation Plan"); or (ii) brief narrative explaining its reasons for not submitting a Plan that meets the Participation Range set forth in the Solicitation. Submission of the Participation Plan is an element of responsiveness. Failure to submit a completed Participation Plan or a narrative explaining the reasons that the Participation Ranges could not be met may result in the rejection of a bid or proposal. If the Participation Range in a bid or proposal meets or exceeds the level determined by the District to be meaningful and substantial, there shall be a presumption of compliance with the Policy. If, however, the proposed Participation Range falls below the level determined by the District to be meaningful and substantial, the bidder or respondent must prove to the satisfaction of the District that it did not discriminate in the solicitation of potential subcontractors and/or joint venture partners.

### b. *Contracts for Professional Services*

Contracts for professional services that are not the subject of a Solicitation must also include approval Participation Plans. If a proposed Contract for professional services is subject to the approval of the Limited Contracts Authority Committee of the District (the "LCA"), the applicable contracting department shall submit a proposed Participation Plan for the written approval of SBD prior to the submission of the Contract to the LCA. In instances where proposed Contract for professional services must be approved by a Resolution adopted by the SRC, SBD's approval of the Participation Plan shall be incorporated into the on-line resolution process prior to the submission of Resolution to the SRC.

## 4. Sanctions

The Participation Plan shall be a part of each Contract between the District and a Contractor and shall be enforceable as any other contractual term or condition. Sanctions for breach of a Participation Plan may include suspension, cancellation of the Contract and/or disbarment from future contracting opportunities with the District.

## **EQUAL OPPORTUNITY**

### **A. EQUAL OPPORTUNITY**

The School District of Philadelphia (the "School District") is an Equal Opportunity Employer and demands no less of the companies with which it does business. The School District will not do business with companies or persons who unlawfully discriminate on the basis of race, color, national origin, sex, creed, disability, or any other impermissible ground in their hiring, promotion, subcontracting or procurement practices. By submitting any proposal to contract or entering into any contract with the School District, the Respondent (the "Respondent") represents and certifies that Respondent is an Equal Opportunity Employer; and conducts business affairs without improper regard to race, color, national origin, sex, creed, or disability, and has not been debarred, suspended, or declared ineligible to contract by any public or private agency or entity because of the Respondent's discriminatory practices. If the Respondent has been debarred or suspended, Respondent must submit a statement with the bid identifying the debarring or suspending entity and giving the date that the debarment or suspension was or is scheduled to be lifted. All certifications contained in a Respondent's proposal are material representations of fact upon which reliance will be placed if the School District awards a contract pursuant to this Request for Proposals. If it is later discovered or determined that the Respondent knowingly rendered an erroneous certification, then the School District may pursue available remedies, including termination of the contract.

### **B. NON-DISCRIMINATION**

#### **1. Non-Discrimination in Hiring**

The Respondent agrees that it will comply with provisions of the Philadelphia Fair Practices Ordinance administered by the Human Relations Commission of the City of Philadelphia, the Pennsylvania Human Relations Act, No. 222, October 27, 1955, as amended, 43 P.S. Section 951 et seq; Title 7 of the Civil Rights Act of 1964, 42 U.S.C. Section 2000 et seq., and all pertinent regulations adopted pursuant to the foregoing in providing equal employment opportunities in connection with all work performed by it pursuant to any contract awarded to Respondent, (the "Contract"). The Respondent therefore agrees:

- (a) That it will not discriminate nor permit discrimination by its agents, servants or employees against any employee or applicant for employment with regard to hiring, tenure or employment, promotion, or any other terms, conditions or privileges of employment because of race, color, sex, religion, age, national origin, sex, ancestry, handicap or disability and will move aggressively as is hereinafter set forth to prevent same.
  - (i) In all publications or advertisements for employees to work at the job site covered by the Contract placed by or on behalf of the Respondent, the Respondent will state that all qualified applicants will receive consideration for employment without regard to race, color, religion, age, national origin, sex, ancestry, handicap or disability.
  - (ii) The Respondent will notify each labor union or workers' representative from whom it seeks workers of the Respondent's commitment as set forth in its proposal, and request that each union or workers' representative include minority group members and women among its referrals.
  - (iii) The Respondent will hire minority and female workers for the skilled and unskilled jobs required to perform the Contract in proportion to their availability in the relevant labor pools in the Philadelphia Metropolitan Statistical Area, or to their availability in its qualified applicant pool, whichever is greater.
  - (iv) The Respondent will post in conspicuous places available to its employees and to applicants for employment, a notice of fair practices to be provided by the Philadelphia Human Relations Commission.

- (v) The Respondent will maintain a work environment free of harassment, intimidation and coercion, and will ensure that all on-site supervisory personnel are aware of and carry out Respondent's obligation to maintain such a working environment.
- (b) That it will identify on each certified payroll form submitted to the School District those of its employees who are minority group members and those who are female. As used here, "minority" means African American, Hispanic, Asian, or Native American. The School District shall at all times have access to work site and to the Respondent's employment records to assure compliance with this subsection.
- (c) That it will maintain on forms to be supplied by the School District, the name, race, sex, national origin, skill or craft, address, telephone number, and source of referral of each applicant for employment, which record shall show which applicants were hired.
- (d) (That in the event apprentices are hired in any skilled craft area, the Respondent will endeavor to hire equal numbers of culturally diverse male and female trainees in each skill area.

## 2. Non-Discrimination in Contracting

It is the policy of the School District of Philadelphia, that business concerns owned and controlled by minority group members and women shall have full and fair opportunity to participate in performance of contracts let by the School District. A Respondent's plan to joint venture with or subcontract to minority and woman-owned firms (M/WBEs) and/or to utilize M/WBEs as sources of supplies, equipment, or services will be a significant part of the evaluation of the Respondent's responsibility.

- (a) The Respondent will consider all proposals from potential M/WBE firms and document on the forms supplied by the School District, the reasons for not entering into a joint venture or subcontract with a M/WBE.
- (b) **Respondent to this RFP shall employ the services of Sub-consultant(s), as necessary, to achieve combined Minority Owned Business Enterprise (MBE) and Woman Owned Business Enterprise (WBE) participation goals in a range of 15%-20% of the total amount of services provided. If the Firm is a MBE or WBE firm, then the Firm will have achieved the goal for that category. A non-MBE or WBE firm shall employ a MBE or WBE firm to achieve these goals.**
- (c) The Respondent's agreement to meet the requirements of the Section is a material representation of fact upon which reliance will be placed if a contract is awarded. If it is later determined that the Respondent has not made a good faith effort to comply, within the School District's sole judgment, the School District may pursue available remedies, including suspension or debarment of the Respondent from future School District work as non-responsible.

## 3. Liability of Subcontractors

Any subcontractor of the Respondent shall have the same responsibilities and obligations as the Respondent to comply with the provisions of this Section and shall be subject to the same penalties for failure to comply as set forth below.

## 4. Penalties for Failure to Comply

It is hereby agreed that failure to comply and demonstrate a good faith effort to comply with the foregoing requirements shall constitute a substantial breach of the Contract.

*Please sign below acknowledging and agreeing to comply with the Anti-Discrimination Policy of the School District of Philadelphia.*

\_\_\_\_\_ (seal)  
(Trade Name of Firm)

\_\_\_\_\_ (seal)  
(Signature of Owner or Partner)

\_\_\_\_\_  
(Date)



**ATTACHMENT C  
SCHOOL DISTRICT OF PHILADELPHIA  
OFFICE OF PROCUREMENT SERVICES**

**MINORITY/WOMAN-OWNED BUSINESS ENTERPRISE(MWBE) PARTICIPATION PLAN FORM**

**I. Information in this section refers to the Prime Contractor/Vendor**

Company Name \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Owner: \_\_\_African-American, \_\_\_Hispanic, \_\_\_Asian, \_\_\_Native American, \_\_\_Woman, \_\_\_Non-Profit, \_\_\_Caucasian, \_\_\_Other  
Federal Tax ID \_\_\_\_\_ Certifying Agency: \_\_\_\_\_ Certification No.: \_\_\_\_\_  
Bid Number or Subject of Resolution: \_\_\_\_\_

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**II. Information in this section refers to MWBE firms to be used in the performance of this contract.**

Company Name: \_\_\_\_\_ Owner: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Owner: \_\_\_African-American, \_\_\_Hispanic, \_\_\_Asian, \_\_\_Native American, \_\_\_Woman, \_\_\_Non-Profit, \_\_\_Caucasian, \_\_\_Other  
Federal Tax ID \_\_\_\_\_ Certifying Agency: \_\_\_\_\_ Certification No.: \_\_\_\_\_  
Description of Work: \_\_\_\_\_  
Dollar Value \$ \_\_\_\_\_ Percentage of Total Contract \_\_\_\_\_  
Vendor Signature \_\_\_\_\_

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If no commitment, give reasons and supporting documentation(e.g., evidence of contacting MWBEs).

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that the information provided is true and correct \_\_\_\_\_ Date: \_\_\_\_\_  
Authorized Representative

**ATTACHMENT D**

**FEE PROPOSAL – PAGE 1 OF 3**

Please acknowledge the following by signing where indicated below.

**Method of Compensation**

The method of compensation for this project shall be based on the Percentage of Construction Cost Method, see the “Professional Services Sample Contract.” The final fee shall be adjusted based on the actual low construction bid amount. Hourly rates will be utilized for additional services.

**Fee Schedule Based on % of Construction Value (page 2)**

The Proposer’s percentage of construction cost for the project shall be all-inclusive. The Proposer shall be entitled to payment for the authorized reimbursable expenses provided in the “Sample Professional Design Services Contract.”

**Project Design Team Personnel List with Hourly Rates (page 3)**

The listing must include the hourly billable, all-inclusive wage rates for all people listed as design team personnel. These wage rates will be used to invoice for additional services performed. These hourly rates shall be fully loaded including benefits, overhead and profit. **Please provide only one wage rate per position; do not use ranges. If ranges are used, the lower rate will be used for evaluation and if selected, will become the contract rate. Do not add positions.**

Invoicing for services shall be limited to these individuals at the hourly rates indicated. Once the Prime Proposer enters into a contract with the SDP, any revisions or additions shall require prior approval by the SDP.

\_\_\_\_\_  
(Trade Name of Firm)

\_\_\_\_\_  
(Signature of Owner or Partner)

**ATTACHMENT D**

**FEE PROPOSAL – PAGE 2 OF 3**

**PROPOSER'S FIRM:** \_\_\_\_\_

Provide the following:

Project Construction Value

Proposed Fee

Over \$1,000,000

\_\_\_\_\_ %

**ATTACHMENT D**

**FEE PROPOSAL – PAGE 3 OF 3**

**PROPOSER'S FIRM:** \_\_\_\_\_

| <b>Name &amp; Company</b> | <b>Position</b>                               | <b>Hourly Rate</b> |
|---------------------------|---|--------------------|
| <b>Company</b>            | <b>Key Personnel - Architectural</b>          |                    |
|                           | Principal-In-Charge                           | \$                 |
|                           | Project Manager                               | \$                 |
|                           | Licensed Architect                            | \$                 |
|                           | Architectural Designer                        | \$                 |
|                           | Specifications Writer                         | \$                 |
|                           | Construction Administrator                    | \$                 |
|                           | Clerical                                      | \$                 |
|                           |   |                    |
| <b>Company</b>            | <b>Key Personnel - Interior Design</b>        |                    |
|                           | Interior Designer                             | \$                 |
|                           |   |                    |
| <b>Company</b>            | <b>Key Personnel - Educational Planning</b>   |                    |
|                           | Educational Planner                           | \$                 |
|                           |   |                    |
| <b>Company</b>            | <b>Key Personnel - Structural Engineering</b> |                    |
|                           | Principal-In-Charge                           | \$                 |
|                           | Licensed Structural Engineer                  | \$                 |
|                           | Project Engineer                              | \$                 |
|                           | Clerical                                      | \$                 |
|                           |   |                    |
| <b>Company</b>            | <b>Key Personnel - MEP Engineering</b>        |                    |
|                           | Principal-in-Charge                           | \$                 |
|                           | Project Manager                               | \$                 |
|                           | Licensed Mechanical Engineer                  | \$                 |
|                           | Licensed Electrical Engineer                  | \$                 |
|                           | Licensed Plumbing Engineer                    | \$                 |
|                           | Licensed Fire Detection Engineer              | \$                 |
|                           | Licensed Fire Protection Engineer             | \$                 |
|                           | Project Engineer                              | \$                 |
|                           | Cost Estimator                                | \$                 |
|                           | Clerical                                      | \$                 |
|                           |   |                    |
| <b>Company</b>            | <b>Key Personnel - Cost Estimating</b>        |                    |
|                           | Senior Estimator                              | \$                 |
|                           | Estimator                                     | \$                 |

