

PPEA REQUEST FOR PROPOSALS (RFP)
For Design and Construction of New High Schools
Wise County Public Schools
Wise, VA
June 28, 2011

I. PURPOSE

The Wise County School Board (“WCSB”) is soliciting Conceptual Proposals under the Public-Private Education Act of 2002 (the “PPEA”), as amended, from private entities who wish to design, schedule, construct, and build one (1) or both of two (2) new high schools WCPS is planning to construct. A firm, joint venture, or other private entity may offer a PPEA conceptual proposal to design and construct either or both of these new schools.

II. THE PROJECTS

WCSB has elected to construct two new high schools. The intent is to construct these schools as follows:

1. Construct a new school behind the former Powell Valley High School for the Union High School students.
2. Construct a new school in the Wise area for the Central High School students.

The new high schools have not been designed, but a set of educational specifications have been developed, and are to be used to help plan the new schools. Each new school will be constructed for approximately 750 students, and may utilize the same floor plan (prototype). A copy of the educational specification plan is attached herein. The Wise area school site has not been identified, therefore Conceptual Proposals shall be based on the Powell Valley High School site. WCPS may construct the two new high schools as separate projects.

III. PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT OF 2002

- A. **“PPEA”** – The Public-Private Education Facilities and Infrastructure Act of 2002 (the “PPEA”) grants to local governments and public school systems the authority to create public-private partnerships for the development of a wide range of projects for public use if the public entities determine there is a need for the project and that private involvement may provide the project to the public in a timely or cost-effective fashion. WCSB has determined that there is an immediate need for new school facilities to be delivered in a timely, cost-effective manner. A comprehensive agreement is to be negotiated between a Proposer or Proposers and WCSB that will define the respective rights and obligations of WCSB and the successful Proposer(s).

B. *Proposals* – Proposals should be prepared simply and economically, providing a concise description of the Proposer’s capabilities to complete the proposed qualifying project(s) and the benefits to be derived from the project(s) by the public entity. Project benefits to be considered are those occurring during the construction and during the life cycle of the project(s). Proposals should also include a comprehensive scope of work and financial plan for the project(s), containing enough detail to allow an analysis by WCSB of the financial feasibility of the proposed project(s).

C. *Two-Step Process* – WCSB will use a two-part process consisting of an initial conceptual phase and a detailed phase. This RFP invites Proposers to submit initial conceptual proposals that will be evaluated pursuant to the adopted procedures as follows:

1. Conceptual Phase

- a.** Only proposals complying with the requirements of the PPEA that contain sufficient information for a meaningful evaluation and that are provided in an appropriate format will be considered by WCSB for further review at the conceptual stage.
- b.** After reviewing all proposals submitted, WCSB may determine:
 - (i.) Not to proceed further with any proposal,
 - (ii.) To proceed to the detailed phase of review with one proposal, or
 - (iii.) To proceed to the detailed phase with multiple proposals.

2. Detailed Phase

Upon the completion of the conceptual phase, should WCSB determine that there is merit in continuing the process; one or more Proposers may be invited to submit detailed proposals.

In the event that more than one proposal will be considered in the detailed phase of review, WCSB will consider whether the unsuccessful Proposer should be reimbursed for costs incurred in the detailed phase of review, and such reasonable costs may be assessed to the successful Proposer in the comprehensive agreement.

D. *Freedom of Information Act* – Generally, proposal documents submitted by private entities are the property of the Wise County School Board and are subject to the Virginia Freedom of Information Act (“FOIA”). In accordance of FOIA, such documents are releasable if requested, except to the extent that they relate to (i) confidential proprietary information submitted to the responsible public entity under a promise of confidentiality or (ii) memoranda, working papers or other records related to proposals if making public such records would adversely affect the financial interest of the public or private entity or the bargaining position of either party. In order for confidential proprietary information to be excluded from public release, Proposers shall (i) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (ii) identify the data or other materials for which protection is sought, and (iii) state the reasons why protection is necessary.

IV. INSTRUCTIONS TO PROPOSERS – CONCEPTUAL PHASE

- A. *Wise County School Board's Obligation*** – This RFP is for bidding purposes only and is not a contract. WCSB will assume no obligation to reimburse or pay any person or firm responding any costs, fees, or expenses incurred in the preparation of a response to this RFP, or for any meetings or travel costs related to such response. WCSB is under no obligation to any responding party until a contract is executed for the services described within.
- B. *Communications and Addenda*** – Proposers are encouraged to carefully examine the RFP documents for discrepancies, errors, omissions or ambiguities. Any questions concerning the requirements should be directed to the issuing agent:

Wise County School Board
P.O. Box 1217
628 Lake Street
Wise, VA 24293
Contact: Ron Vicars, Business Mgr.
Or Designated Construction Manager

Phone (276) 328-8017
FAX (276) 328-3350

The issuing agent will review the written questions and requests for clarifications, if any, if submitted by Tuesday, July 19, 2011 Any and all such interpretations and any supplemental instructions will be in the form of written Addenda which, when issued, will be mailed to all Proposers and shall become part of the Contract Documents.

- C. *Proposal Preparation*** – Conceptual PPEA proposals shall conform in all respects to the requirements stated in the “Wise County School Board Guidelines for Implementation of the Public-Private Education Facilities and Infrastructure Act of 2002” attached herein.
- D. *Special Requirements*** – Submitted proposals should also contain, but not limited to the following:
1. Description of how the Proposer will provide programming to determine additional design detail and appropriate scope of work from various stakeholder groups, including division administration, school staff and citizens.
 2. Provide design and construction schedule including schedule for operations transition time leading to full use of the facilities.
 3. Provide information on how the design and construction will result in facilities with minimal maintenance costs and reasonable energy costs to operate.

4. As a condition of the proposal, the Proposer agrees to communicate only with the Issuing Agent on any aspect of the proposal or with WCSB's division superintendent, if contact is initiated by him.
5. All proposals shall contain verification of any third party commitments represented in the proposal.

E. *Executive Summary* – In order to facilitate evaluation of the Proposer's capabilities and project feasibility, proposals should be as thorough and detailed as possible so that WCSB may properly evaluate the Proposer's capabilities to complete any proposed project. Proposals should include an executive summary and use cross-referencing rather than repetition in explaining the proposed project.

F. *Detailed Proposal Phase* – If WCSB decides to proceed to the detailed phase, only those private entities whose conceptual proposals are selected for future consideration will be invited to submit detailed proposals. The guidelines herein include a list of items to be addressed in the detailed proposal. The detailed proposal shall also include a design that is compatible with the educational program, as well as the community and Division's educational goals. WCSB may request additional information and negotiate details with private entities during the detailed phase.

G. *Preparation and Submission of Conceptual Proposals*

1. Submit one original and six (6) copies of the proposal to the Wise County School Board, 628 Lake Street, Wise, VA, 24293. **Proposals must be received by the Business Office no later than 4:00 P.M., local time, Monday, August 11, 2011.** Requests for extensions of this date and time will not be granted except by written addendum to the RFP applicable to all prospective Proposers.
2. Proposals should be submitted in a sealed container with the words "PPEA Proposal Enclosed" on the face of the container.
3. Proposals or any addendums to proposals received by WCSB after the closing date and time will not be considered. The actual receipt by WCSB shall control, and not the mailing or sending date.
4. A **Pre-proposal conference** will be held at the Wise County Public Schools Board Room, 628 Lake Street, Wise, VA, 24293 at 2:00 P.M. on Tuesday, July 12, 2011. Attendance is encouraged, but is not mandatory.
5. WCSB reserves the right to waive any informalities with respect to any proposal submitted in response to this RFP.

V. PROPOSAL EVALUATION CRITERIA

- A.** Evaluation of proposals in the selection process shall be done in accordance with the Wise County School Board's PPEA Procedures as adopted. Selection will be made on the basis of the evaluation factors in V.(C.) of this RFP.
- B.** WCSB may designate a working group to be responsible for evaluating proposals and negotiating the comprehensive agreement.
- C.** Evaluation factors contained in the "Wise County School Board Guidelines for Implementation of the Public-Private Education Facilities and Infrastructure act of 2002" as well as the following will be used in review and evaluation of the PPEA proposals:
 - 1.** Experience and expertise of the Proposer in providing a design and construction of public schools.
 - 2.** Proposer's understanding of the purposes and objectives of Wise County Public Schools as it pertains to the project(s), meeting the needs of Wise County Public Schools, and ultimately the citizens of Wise County.
 - 3.** Qualifications and experience of the Proposer's key personnel to be assigned to the project(s) including project manager and management teams, and overall qualifications and experience of the Proposer and any subcontractors to be used.
 - 4.** Proposer's performance record and demonstrated ability to work with a governmental organization to provide the requested services, produce quality work, meet schedules, and manage a successful project or projects in a timely manner.
 - 5.** Quality of the content of the proposal and the responsiveness to the PPEA-RFP including the requested "Special Requirements" of proposal submission.
 - 6.** Proposed approach and methodology in the implementation of the project(s).
 - 7.** Proposer's estimate of contract performance timetable and proposed cost.
 - 8.** Design shall be compatible with educational program, as well as the community and Division's educational goals.
 - 9.** References with contact information from past experience and expertise in providing design and construction of public schools.
 - 10.** Identification of and collaboration with legal counsel with significant experience with PPEA.
 - 11.** Earth moving and mining engineering expertise associated with coal extraction, permitting and regulatory requirements and geotechnical evaluations associated with removal of coal incidental to this project(s).

- VI. WISE COUNTY SCHOOL BOARD GUIDELINES FOR IMPLEMENTATION OF THE PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT OF 2002 (see attached)**

- VII. EDUCATIONAL PROGRAM SPACE SUMMARY FOR NEW 750 STUDENT HIGH SCHOOL PROTOTYPE (draft two) (see attached)**