

**PLEASANTVILLE UNION FREE SCHOOL DISTRICT**  
***Request for Proposal – Architectural & Engineering Services***



**Request For Proposal**

**For**

**Architectural & Engineering Services**

**Pleasantville Union Free School District**  
**60 Romer Avenue**  
**Pleasantville, NY 10570**

**Proposals must be submitted by:**

Date: November 30, 2018

Time: 2:00 p.m.

Location: Pleasantville Union Free School District Business Office  
Attn: Timothy P. Whipple, Asst. Superintendent  
60 Romer Avenue  
Pleasantville, New York 10570

**Pleasantville Union Free School District**  
***Request for Proposal – Architectural & Engineering Services***

**Public Notice**

The Board of Education of the Pleasantville Union Free School District, Pleasantville, New York, invites proposals for:

**ARCHITECTURAL & ENGINEERING SERVICES**

Request for Proposal is obtainable at the Business Office of the Pleasantville Union Free School District, 60 Romer Avenue, Pleasantville, New York, during business hours. Proposals shall be submitted in sealed envelopes marked on the outside:

**“Proposals for Architectural & Engineering Services”**

and be in the hands of the Asst. Superintendent for Business, Timothy P. Whipple, in the Business Office, of the Pleasantville Union Free School District, 60 Romer Avenue, Pleasantville, New York, prior to 2:00 p.m. on:

**Friday, November 30, 2018**

at which time the proposals will be evaluated and presented to the Board of Education for action shortly thereafter. The Board of Education reserves the right to reject any or all proposals, waive informalities and accept the one appearing to be in the best interest of the Pleasantville Union Free School District.

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**REQUEST FOR PROPOSAL FOR**  
**ARCHITECTURAL & ENGINEERING SERVICES**

**Introduction**

The Pleasantville Union Free School District (the “District”) is requesting proposals from qualified architectural/engineering firms (the “Architect”) capable of providing site condition assessments, complete schematic design and budget reports for improvements, as well as, the corresponding applications to the New York State Department of Education and Facility Planning at the District’s three schools and associated facilities. The Board of Education is issuing this Request For Proposals (“RFP”) for the selection of an architectural/engineering firm to provide architectural/engineering services in connection with various capital improvements that the District may undertake. You are invited to submit proposals in accordance with this RFP. *Any capital improvement project is subject to the availability of District funds and the approval of the voters of the District.*

To be considered, proposals must include original copy and an electronic copy (sent to [whipplet@pleasantvilleschools.org](mailto:whipplet@pleasantvilleschools.org)) of all pages of the RFP with each page initialed by the Architect received by the Asst. Superintendent by **2:00 p.m. on November 30, 2018**. All proposals must be submitted on and in accordance with the forms included in this document. The proposal sheets are not to be removed from the document. The District reserves the right to reject any or all proposals submitted.

There is no expressed or implied obligation for the District to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.

During the evaluation process the District reserves the right, where it may serve the District, to request additional information or clarifications from proposers, or to allow corrections or omissions. At the discretion of the District, proposers may be requested to make oral presentations as part of the evaluation process.

The District reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal was selected. Submission of a proposal indicates acceptance of the conditions contained in this request for proposal, unless clearly and specifically noted in the proposal submitted in the contract between the District and the selected architectural/engineering firms.

For questions contact Timothy Whipple, Asst. Superintendent for Business at (914) 741-1400 or via e-mail at [whipplet@pleasantvilleschools.org](mailto:whipplet@pleasantvilleschools.org).

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**Notice of Interest**

A “Notice of Interest” form (***Appendix A***) must be filled out and returned to Asst. Superintendent, Timothy Whipple, in the Business Office, of the Pleasantville Union Free School District, 60 Romer Avenue, Pleasantville, New York, by **2:00 p.m. on November 12, 2018**. **Failure to submit this notification by the required deadline will automatically disqualify firms from submitting a proposal.**

**Description of the School District**

The Pleasantville Union Free School District, located in Westchester County in the state of New York, serves students from Kindergarten through twelfth grade. The District is comprised of three schools. Building information is as follows:

<b><u>Facilities (Buildings)</u></b>	<b><u>Location</u></b>
Pleasantville High School	60 Romer Avenue, Pleasantville, NY
Pleasantville Middle School	40 Romer Avenue, Pleasantville, NY
Bedford Road Elem. School	289 Bedford Rd, Pleasantville, NY

**Preliminary needs assessment identified by District Officials:**

HS cupola repairs, security enhancements to entry vestibules, tennis court refurbishment, playing field renovations, parking lot expansion near HS, Elementary School HVAC upgrades, MS renovations (doors, asbestos flooring, windows), Portable Classroom upgrades, HS renovations (roof drains, painting, asbestos flooring, HVAC upgrades)

Provided as an Appendix is the Building Condition Survey 5-year plan

**Anticipated Proposal Timeline**

The following is a list of key dates up to and including the date proposals are to be submitted:

Request for Proposals Issued	October 26, 2018
Due Date for Notification of Interest	November 12, 2018
Due Date for Proposal	November 30, 2018
Potential Interviews	Week of December 16, 2018

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**Scope of Services**

The selected architect is to coordinate and manage projects and play an active role in the District's Project Team, consisting of the architect, construction manager, administration, Board member, and other members deemed appropriate by the District (the "Project Team"). The Architect will, or in some instances assist the construction manager to, develop schedules; analyze project construction estimates; analyze alternative designs; analyze cost models; understand labor conditions; advise on the most appropriate construction techniques; provide value engineering and life cycle costing; and coordinate/communicate the activities of the Project Team through all phases of the project.

Program management procedures, which will be established through the Architect efforts with the District's input and approval during design phases, will allow for the integration of all design and construction phase components of any project. The Architect shall strive for project delivery that is timely, cost effective and consistent with the standards set by the District.

The Architect will utilize its skill and knowledge of design and construction to provide for, but not be limited to:

**PRE-DESIGN PHASE**

The Architect's duties, under the Pre-Design Phase (i.e. pre-referendum phase and program planning phase) will include, but not limited to:

1. Assist the District in development of the scope for the proposed capital construction, including verification of existing conditions, consulting on the building programs, providing schedule/time table and cost estimation, and suggesting bidding options.
2. Estimate billable hours for services for each phase, with a not to exceed amount.
3. Assist the District in budgeting and scheduling exercises to evaluate alternate options and approaches from the standpoints of constructibility and cost while meeting the requirements of the users.
4. Assist the District with any preliminary documentation to New York State Education Department.
5. Assist the District with the SEQRA process, and if necessary be prepared to make recommendations for a SEQRA consultant.
6. Assist the District in estimating and maximizing the amount of building aid.

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7. Assist the District in the selection of testing and/or other specialty consultants when required during any project.
8. Senior Principal for the Architect will attend regular meetings with District staff, as required by the District, to review progress and provide financial updates on the Project from the start of the Project until Substantial Completion.
9. Public presentations as needed.

**DESIGN & PRE-CONSTRUCTION PHASE**

The Architect's duties will include, but not limited to:

1. Meet with other members of the District's Project Team to review the program in order to fully understand the project scope, concept and other pertinent aspects of this project.
2. Review cost models, manage design progress, evaluate design changes and their cost impacts and review project estimates during the design and construction document phase of each project component. Coordinate program planning activity with the District and construction manager.
3. Independently review, verify and update project schedules and cost estimates in the schematic design, design development, and construction document phases.
4. Evaluate all construction options technically, in terms of costs, and with regard to movement of staff/logistics for minimum operational disruptions
5. Assist the construction manager in reviewing local labor market conditions and local availability of construction materials as they effect design choices and construction cost. Establish liaison with contractors and encourage and recruit their participation in bidding. Make every legal effort and attempt to encourage local contractor participation in the construction of the project.
6. Advise the District on the conceptual design and prepare cost estimates of the design.
7. Participate in all design meetings, including initiating meetings with agencies as necessary, having approval authority.
8. Prepare plans and specifications along with all other documents required for submission to and approval by New York State Education Department.

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9. Conform to the District's procedures for conduct for construction projects, observe all applicable laws, rules and regulations including competitive bidding requirements and Labor Law requirements.
10. Prepare plans and specifications in accordance with applicable law, rules, regulations, codes and ordinances including but not limited to section 155 et. seq. of the Regulations of the Commissioner of Education for all purposes including public bidding.
11. Provide CAD-retrievable facility database.
12. The Architect will assist the construction manager to develop a contracting and purchasing strategy. The Architect shall assist in identifying long-lead time items and arrange for procurement.
13. Assist in expediting the bidding process, assure acceptable bids, cultivate good contractual relations; provide bid phase assistance (pre-bid conference, document distribution, bidder questions, prepare and distribute addenda, bid evaluation and recommendations, contract liaison, and if required, preparing bid packages for each contract, including definition of scopes of work, drawings, technical specifications, terms and conditions, bonding and insurance requirements etc.).
14. Assist the District and the construction manager in bid selection process. Establish a list of contractors, evaluate bids and alternates, and make recommendations to the construction manager for approval of selected contractors with public bidding requirements.

**CONSTRUCTION PHASE**

The Architect's duties will include, but not limited to:

1. Review all submittals and shop drawings for conformance with the contract documents; maintain records of accepted and rejected submittals. The architect shall be responsible for all coordination of shop drawings and meetings held during construction.
2. Continually evaluate project progress and recommend appropriate actions to maintain the accepted schedule. Provide necessary reports to the District as requested.
3. Establish and maintain a good working relationship with the community adjacent to the job sites and use reasonable methods to reduce undesirable impacts such as noise, dust, lighting, odor, and other potential nuisances.
4. As requested by the District, assist contractors in the avoidance and resolution of jurisdictional disputes.

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5. Schedule and conduct final inspections alone and with the Project Team and others and to prepare punch lists; and oversee correction of punch list items.
6. Review evaluations and make recommendations on proposal and change order requests.
7. Review and verify applications for payment from contractors and suppliers for accuracy, progress and compare to milestones, and make certifications to the District regarding payment.
8. Attend project site meetings to review progress and provide site representation, as needed.

### **Insurance Requirements**

Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the proposer hereby agrees to effectuate the naming of the District as an unrestricted additional insured on the proposer's insurance policies, with the exception of workers' compensation and professional liability. If the policy is written on a claims-made basis, the retroactive date must precede the date of the contract.

The policy naming the district as an additional insured shall:

1. Be from an A.M. Best rating of A(X) or better insurer, authorized to conduct business in New York State.
2. Contain a 30-day notice of cancellation.
3. Contain a severability of interests provision in favor of the additional insureds.
4. State that the organization's coverage shall be primary coverage, and not contributory, for the District, it's Board, employees, students and volunteers.
5. The District shall be listed as an additional insured by using ISO Endorsement CG20101185 or broader. If another endorsement is used, a copy shall be included with the certificate of insurance.

***Required Insurance:***

1. Commercial General Liability - A proposer must maintain a policy of commercial general liability insurance with Policy Limits not less than \$2,000,000 each occurrence and \$4,000,000 aggregate for bodily injury and damage to property.

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2. Automobile Liability – A proposer must maintain automobile liability insurance covering all owned, rented and non-owned vehicles operated by the proposer with policy limits of not less than \$1,000,000 combined single limit and aggregate for bodily injury and property damage combined.
3. Workers’ Compensation and NYS Disability – A proposer must provide statutorily required Workers' Compensation Insurance, Employers’ Liability and NY State Disability Insurance for all employees in accordance with the requirements of the laws of New York. A proposer must maintain coverage for employers’ liability with a policy limit of not less than \$1,000,000 each accident.
4. Professional Liability – A proposer shall procure and maintain professional liability insurance covering liability the proposer and of its consultants arising out of negligent acts, errors, or omissions in the rendering of the professional services in the minimum amount of \$5,000,000 per claim and in the aggregate. If written on a “claims-made” basis, the retroactive date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for three years following the completion of work. If the Architect is providing environmental services, the errors & omissions policy must be endorsed to include coverage for these services.

The proposer agrees to indemnify the District for any applicable deductibles.

Proposer acknowledges that failure to obtain such insurance on behalf of the District constitutes a material breach of contract. The contracted vendor is to provide the District with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The failure of the District to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the District.

The District is a member of the NY Schools Insurance Reciprocal (NYSIR). The Architect further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the District, but also NYSIR as the District’s insurer.

### **Proposal Requirements**

The purpose of the proposal is to demonstrate the qualifications, competence and capacity of the firm seeking to provide architectural/engineering services, and the specific staff the firm intends to assign to the District’s projects. The substance of proposals will carry more weight than their form or manner of presentation. The proposal should demonstrate the qualifications of the firm and of the specific staff to be assigned to this engagement. The proposal should be prepared simply and economically, providing a straightforward, concise description of the proposing firm’s capabilities to satisfy the requirements of the request for proposal.

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**SUBMISSION OF NOTIFICATION OF INTEREST**

Firms interested in submitting a proposal must submit a “Notification of Interest” form by 2:00 p.m. on **November 12, 2018** (See ***Appendix A***). Failure to submit this notification by the required deadline will automatically disqualify firms from submitting a proposal.

Please submit all questions in writing no later than **November 12, 2018**.

**SUBMISSION OF PROPOSAL**

Proposers must submit their proposals on or before 2:00 p.m. on **November 30, 2018**. No late submissions will be accepted. Proposals must be fully sealed. The entire responding proposal to the request shall be placed in a sealed manila envelope marked with the words:

**“Proposals for Architectural & Engineering Services”**

All proposals must be sent to [whipplet@pleasantvilleschools.org](mailto:whipplet@pleasantvilleschools.org) and the original copy sent to the following address:

Pleasantville Union Free School District  
Timothy P. Whipple  
Assistant Superintendent for Business  
60 Romer Avenue  
Pleasantville, NY 10570

**INSTRUCTIONS**

1. The submission of a proposal will be construed to mean that the proposer is fully informed as to the extent and character of the services, supplies, materials, or equipment required for the proposer to satisfactorily comply with the specifications.
2. Where so indicated by the make-up of the Proposal, sums shall be expressed in both words and figures. In a case of discrepancy between the two, the written amount will govern. Prices and information required, except signature of proposer, should be typewritten for legibility. Illegible or vague proposals may be rejected. All signatures must be written.
3. All required signatures shall be handwritten in ink with the full name of the person executing same. Facsimile, printed, or typewritten signatures are not acceptable. Initials, stamps, photocopies or other copies, or company names may not be used in lieu of any required signature. A proposal by a corporation shall also give the State of

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Incorporation and have the corporate seal affixed on the signature pages of each Form of Proposal. A proposal submitted by an agent shall have a current Power of Attorney attached certifying the agent's authority to bind the proposer.

4. A proposer shall not make any stipulations in the Proposal or qualify its proposal in any manner. No proposal will be considered which purports to qualify, limit, amend or omit any requirement of the Request for Proposal.
5. Agree to the following Non-Discrimination Clause:
  - a. That in the hiring of employees for the performance of work under this contract or any subcontract hereunder, no contractor, subcontractor, nor any person acting on behalf of such contractor or subcontractor, shall by reason of race, creed, color, sex, sexual orientation, age, disability or national origin discriminate against any person who is qualified and available to perform the work to which the employment relates; and
  - b. That no contractor, subcontractor, nor any person on his/her behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, creed, color, sex, sexual orientation, or age.
6. All proposals received after the time stated in the Notice to Proposers will not be considered. The proposer assumes the risk of any delay in the mail or by means of personal delivery, the proposer assumes responsibility for having his/her proposal deposited on time at the place specified. **HOWEVER, THE BOARD OF EDUCATION OF THE PLEASANTVILLE UNION FREE SCHOOL DISTRICT RESERVES THE RIGHT TO WAIVE WHAT IS DEEMED TO BE PROPOSAL OR SPECIFICATION INFORMALITIES RELATING TO A SPECIFIC PROPOSAL, TO REJECT ANY AND ALL PROPOSALS, TO RE-ADVERTISE AND INVITE NEW PROPOSALS, OR TO ACCEPT THE WHOLE OR A PART OF A PROPOSAL FROM MORE THAN ONE PROPOSER AS WHEN IN THE BOARD'S JUDGEMENT, IS IN THE BEST INTEREST OF THE SCHOOL DISTRICT.**
7. The Board of Education reserves the right to award, by item, or part thereof, groups of items, or parts thereof, or all items of the Proposal, and to award contracts to one or more Proposers submitting identical proposals as to prices; to reject any and all proposals in whole or in part; to waive technical defects, irregularities, and omissions if, in his/her judgment, the best interest of the District will be served.
8. Any contract agreed to under this Request for Proposal is subject to termination by the District within seven (7) days' notice. In the event of termination, it is the District's responsibility to pay for services performed to the date of termination and authorized costs incurred by the Auditor.

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9. The District reserves the sole and absolute right to reject any Proposal offering services or products that, in its opinion, does not meet the standard of quality established by the specifications contained herein.
10. All information received in response to this RFP shall become the property of the District.
11. Upon selection, these specifications and the successful proposal will become incorporated into and form become part of the contract between both parties. The selected proposer shall be required to enter into a written contract with the district and the final contract will be subject to the approval of the Board of Education of the Pleasantville Union Free School District. A formal letter of engagement will also be required upon contract.

## **CONTENT**

Proposals will provide evidence demonstrating experience and an ability to provide the requested services, including, but not limited to, the firms experience as an architectural/engineering firm for public school districts. Prior experience as an architectural/engineering firm for public school districts will be a major consideration. The proposal package shall include the following items:

1. Title Page showing the RFP's subject; the firm's legal name; the name, address and telephone number of a contact person; and the date of the proposal.
2. A signed letter of transmittal that briefly states the proposer's understanding of the work to be done, a statement why the firm believes itself to be best qualified to perform the engagement and a statement that the proposal is a firm offer for architectural/engineering services. The letter shall be signed by the person or persons legally authorized to bind the proposer to a contract.
3. Firm's history including present size and in-house disciplines.
4. If the firm does not have in-house capabilities to complete all design work associated with the projects, identify sub-consultant firms that will provide those services. The proposal shall include information about providing architectural, structural, electrical,

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plumbing, mechanical, geotechnical, landscape architecture services, and cost estimating as necessary.

5. State whether the proposer is a sole proprietor, a partnership, a corporation or other legal entity.
6. Explain your management plan and how you will staff this engagement, including which staff would be on-site or at the firm's home office. Include organizational chart with staff names, references and resumes for each staff member to be assigned to the District's project, including the partner(s) in charge.
7. Demonstrate substantial experience in the implementation of procedures proven to be effective for timely completion of projects within the established budget and show methods effectively used to monitor actual vs. anticipated progress in regards to cost and schedule. Include the experience of the specific staff the firm intends to assign to the District's projects.
8. List the firm's current projects including: client's name, the construction manager, contract amount, total project amount, type of contract, completion dates, and brief description of the project's scope of services and status.
9. Describe the firm's financial and staff capability.
10. Describe the firm's experience in the immediate geographic area of the project, as well as the experience of the specific staff the firm intends to assign to the District's projects.
11. Describe the firm's experience with the State Education Department requirements, as well as the experience of the specific staff the firm intends to assign to the District's projects.
12. Description on a minimum of five (5) completed projects for school districts within New York State. Include the school district name, contact person and phone number, construction manager, original estimated contract amount, final contract amount, type of contract, date of completion, and brief description of the project's scope of services and status and key personnel involved.
13. What was the total construction cost by year for work your firm was the architect of record for the past five (5) years, and list the percent that was for public school construction?
14. Demonstrate experience in representing the District's interest in avoidance and resolution of construction claims, as well as the experience of the specific staff the firm intends to assign to the District's projects.

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15. Provide three (3) references for similar New York school districts which substantiate the proposer's and its staffs' capacity and qualification as an architect of record.
16. Disclosure and description of any litigation and/or disciplinary proceedings pending against the firm or the members of the firm in any jurisdiction or whether discipline has been previously imposed against you in any jurisdiction. If discipline has previously been imposed, state the date, jurisdiction, nature of the ethics violation and the penalty imposed. If litigation and/or proceedings are pending, specify the jurisdiction, the charges and the likely time of their disposition.
17. Disclosure and description of any litigation initiated by the firm or the members of the firm in any jurisdiction. If the litigation is pending, specify the jurisdiction, the charges and the likely time of their disposition.
18. Disclosure and description of any arrests or convictions against any members of the firm.

**FEE**

In a sealed envelope separate from the proposal, provide: (i) hourly rates for each level of personnel within your firm as a basis for costing services; and (ii) schedule of professional fees and expenses form (***Appendix H***), indicating proposed fee for capital improvement projects of varying budgets and pre-referendum fee. Mark the outside of the envelope "Fee for Proposal". Include an itemized list of all reimbursable cost items anticipated and not included in the fee.

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**REQUIRED FORMS**

- Furnish copies of the Certificates of Insurances in place. If certain insurances are not in place, provide assurance of ability to provide executed copies of the Certificates of Insurances.
- A completed Non-Collusive Certification (See ***Appendix B***)
- A completed Hold Harmless Agreement (See ***Appendix C***)
- A completed Proposer Warranties (See ***Appendix D***)
- A completed Iran Divestment Act Certification (See ***Appendix E***)
- A completed Conflict of Interest Certification (See ***Appendix F***)
- A completed Affidavit (See ***Appendix G***)
- A completed Fee Schedule (See ***Appendix H***)
- A completed W-9 form
- Copies of Professional Licenses held by the proposer

**Evaluation of Proposals**

The District will evaluate the responses based upon the information supplied by the Architect. Criteria for evaluations will include:

	<b>Category</b>	<b>Weight</b>
1	Qualifications	30
2	References	25
3	Experience	30
4	Cost	15

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**1. Qualifications:**

- a. Qualifications of the professional staff expected to be assigned to this project.
- b. Capability of the architectural/engineering firm and consultants to progress and complete the work, taking into consideration size of work force, current workload, in house staff capabilities and the like.
- c. Proposed methodology and demonstrated understanding of the District needs, including the need for a team effort with the District and other construction professionals.

**2. References:**

- a. Level of prior client satisfaction.

**3. Experience:**

- a. Previous experience of the architectural/engineering firm, the specific staff the firm intends to assign to the District's projects, and consultants with similar projects.
  - i. Particular attention will be paid to previous work involving educational facilities, awards or commendations, cost effective performance, and demonstrated ability.
- b. Experience in the immediate geographic area.
- c. Experience of the professional staff expected to be assigned to this project.

**4. Cost:**

- a. Hourly rates for each level of personnel.
- b. Schedule of professional fees and expenses for varying project budgets.
- c. Pre-Referendum fee.

From the Proposals received, the District will select a short list. The short list of firms may be requested to provide an interview with the Board of Education and/or the District's administration. Each consultant proposed or anticipated to be used by the firm may be asked to have representation at the interview.

Any public notice soliciting the proposals for services as well as any instructions provided to potential respondents to a request for proposal, shall specify all of the criteria to be used in evaluating such proposals and shall specify the weights the District has assigned to each criterion for the purpose of evaluating proposals submitted in response to the request for proposals. For this purpose no single criterion shall be weighted in excess of 50% of the total weight of all criteria to be used.

The undersigned acknowledges that there will be no cost to the District pertaining to the submission of this Proposal and the District has the right to reject any and all proposals, in its opinion, the best interest of the District will thereby be promoted.

**RFP APPENDICES & FORMS**

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**Appendix A - NOTICE OF INTEREST**

Please complete and return this confirmation form by **November 12, 2018** to:

Mr. Timothy P. Whipple  
Assistant Superintendent for Business  
Pleasantville Union Free School District 60  
Romer Avenue  
Pleasantville, NY 10570  
Telephone: 914-741-1400  
Fax: 914-741-1499  
E-Mail: [whipplet@pleasantvilleschools.org](mailto:whipplet@pleasantvilleschools.org)

Failure to return this form may result in no further communication or addenda regarding this Proposal.

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

I have received a copy of the above noted proposal.

\_\_\_\_\_ We will be submitting a proposal.

\_\_\_\_\_ We will not be submitting a proposal.

If you are responding that you are not submitting a proposal, please explain:

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

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**Appendix B - NON-COLLUSIVE PROPOSAL CERTIFICATION**

***THIS FORM MUST BE SIGNED AND NOTARIZED***

By Chapter 675 of the Laws of 1966, Section 103-D, Statement of Non-Collusion in proposals and request for proposals to political subdivision of the State: Every proposal made to a political subdivision of the state or any public department, agency or official thereof where competitive proposals are required by statute, rule, regulation or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the proposer, and affirmed by such proposer as true under the penalties of perjury: Non-collusive proposal certification.

a) By submission of this proposal, each proposer and each person signing on behalf of any proposer certifies and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- 1) The prices in this proposal have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other proposer or with any competitor, or potential competitor.
- 2) Unless otherwise required by law, the prices which have been quoted on this proposal have not been knowingly disclosed by the proposer prior to opening, directly or indirectly, to any other proposer or to any competitor or potential competitor, and
- 3) No attempt has been made or will be made by the proposer to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

b) Any proposal made by a corporate proposer shall be deemed to have been authorized by the board of directors of the proposer, and such authorization shall be deemed to include the signing and submission of the proposal and the including therein of the certificate as to non-collusion as the act and deed of the corporation.

Furthermore, that the proposer is legally competent and authorized to submit a proposal; that said proposer has carefully examined the instructions, schedules and specifications and if successful will furnish and deliver, at the prices proposed and within the time stipulated, all the materials, supplies, apparatus, goods, service and labor for which this proposal is made; that in the event of the failure of the undersigned proposer to perform the services contained in the proposal the Board of Education of the Pleasantville Union Free School District will implement the controls as outlined in the performance bond; that the proposer agrees to comply with applicable labor and other laws as detailed in the request for proposal.

Subscribed and sworn to before me

this \_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
(Person, Firm, or corporation)

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
(Authorized Signature)

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**Appendix C - HOLD HARMLESS AGREEMENT**

***THIS FORM MUST BE SIGNED AND NOTARIZED***

IT IS HEREBY AGREED AND UNDERSTOOD THAT THE PROPOSER AGREES TO HOLD HARMLESS AND INDEMNIFY THE PLEASANTVILLE UNION FREE SCHOOL DISTRICT, THEIR BOARD OF EDUCATION, ANY OFFICER, AGENT, SERVANT, OR EMPLOYEE OF THE SCHOOL DISTRICT FROM ANY LAWSUIT, ACTION, PROCEEDING, LIABILITY, JUDGMENT, CLAIM, OR DEMAND WHICH MAY ARISE OUT OF:

ANY INJURY TO PERSON OR PROPERTY SUSTAINED BY THE PROPOSER, ITS AGENTS, SERVANTS, OR EMPLOYEES, OR ANY PERSON, FIRM, OR CORPORATION EMPLOYED DIRECTLY OR INDIRECTLY BY THEM UPON OR IN CONNECTION WITH THEIR PERFORMANCE UNDER THE CONTRACT.

HOWEVER CAUSED, ANY INJURY TO PERSON OR PROPERTY SUSTAINED BY ANY PERSON, FIRM, OR CORPORATION, CAUSED BY ANY ACT, DEFAULT, ERROR, OR OMISSION OF THE PROPOSER, ITS AGENTS, OR EMPLOYEES OR ANY PERSON, FIRM, OR CORPORATION, DIRECTLY OR INDIRECTLY EMPLOYED BY THEM UPON OR IN CONNECTION WITH PERFORMANCE UNDER THE CONTRACT.

THE ASSUMPTION OR INDEMNITY, LIABILITY, AND LOSS HEREUNDER SHALL SURVIVE PROPOSER'S COMPLETION OF SERVICE OR OTHER PERFORMANCE HEREUNDER AND ANY TERMINATION OF THIS CONTRACT.

THE PROPOSER AT ITS OWN EXPENSE AND RISK SHALL DEFEND ANY SUCH LEGAL PROCEEDINGS THAT MAY BE BROUGHT AGAINST THE SCHOOL DISTRICT, THE BOARD OF EDUCATION, OR ANY OFFICER, AGENT, SERVANT, OR EMPLOYEE OF THE SCHOOL DISTRICT ON ANY CLAIM OR DEMAND, AND SHALL SATISFY ANY JUDGMENT THAT MAY BE RENDERED AGAINST THE SCHOOL DISTRICT, THE BOARD OF EDUCATION, OR ANY OFFICER, AGENT, SERVANT, OR EMPLOYEE OF THE SCHOOL DISTRICT.

THIS INDEMNIFICATION, DEFENSE, AND HOLD HARMLESS AGREEMENT SHALL APPLY TO ANY LAWSUIT, ACTION, PROCEEDING, LIABILITY, JUDGMENT, CLAIM, OR DEMAND, OR WHATEVER NAME OR NATURE, NOTWITHSTANDING THAT PROPOSER MAY DEEM THE SAME TO BE FRIVOLOUS OR WITHOUT MERIT. IT IS INTENDED THAT THIS AGREEMENT BE INTERPRETED IN THE BROADEST MANNER POSSIBLE SO AS TO INSULATE ALL OF THE ENTITIES, PARTIES, AND INDIVIDUALS NAMED

ABOVE FROM ANY LIABILITY, COST, OR JUDGMENT, MONETARY OR OTHERWISE, AS THE SAME MAY RELATE TO THE PERSONNEL AND SERVICES PROVIDED BY THE PROPOSER.

Subscribed and sworn to before me

this \_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
(Person, Firm, or corporation)

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
(Authorized Signature)

**PLEASANTVILLE UNION FREE SCHOOL DISTRICT**  
***Request for Proposal – Architectural & Engineering Services***

**Appendix D - PROPOSER WARRANTIES**

- A. Proposer warrants that it is willing and able to comply with State of New York laws and regulations. Proposer warrants that it is willing and able to obtain an error and omissions insurance policy providing a prudent amount of coverage for the willful or negligent acts, or omissions of any officers, employees or agents thereof.
- B. Proposer warrants that it will not delegate or subcontract its responsibilities under an agreement without the express prior written permission of the Pleasantville Union Free School District.
- C. Proposer warrants that all information provided by it in connection with this proposal is true and accurate.
- D. Proposer warrants they have read and understand all specifications, terms and conditions of this RFP.

Signature of Official: \_\_\_\_\_

Name (typed): \_\_\_\_\_

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

Firm: \_\_\_\_\_

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

**PLEASANTVILLE UNION FREE SCHOOL DISTRICT**  
***Request for Proposal – Architectural & Engineering Services***

**Appendix E - IRAN DIVESTMENT ACT OF 2012 CERTIFICATION FORM**

***THIS FORM MUST BE SIGNED AND NOTARIZED***

In order to be considered a responsible proposer, entities must certify that they are not on the list created and maintained by the State Office of General Services cataloging significant investment in the Iranian energy sector. Such statement may be submitted electronically pursuant to General Municipal Law §103(1).

Entities that cannot make this certification may only be awarded the proposal if:

1. The entity's investment activities in Iran were made before April 12, 2012; the investment activities in Iran have not been expanded or renewed after that date; and the entity has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The district makes a determination, in writing, that the goods or services are necessary for the district to perform its functions and that, absent such an exemption, the district would be unable to obtain the goods or services for which the contract is offered.

By submission of this proposal, each proposer and each person signing on behalf of any proposer certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each proposer is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law.

Subscribed and sworn to before me

this \_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
(Person, Firm, or corporation)

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
(Authorized Signature)

**PLEASANTVILLE UNION FREE SCHOOL DISTRICT**  
***Request for Proposal – Architectural & Engineering Services***

**Appendix F - CONFLICT OF INTEREST CERTIFICATION**

***THIS FORM MUST BE SIGNED AND NOTARIZED***

Name of Proposer \_\_\_\_\_

Business Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Date of Proposal \_\_\_\_\_

The proposer above mentioned declares and certifies:

First That the said proposer is of lawful age and the only one interested in this proposal, and that no one other than said proposer has any interest herein.

Second That this proposal is made without any previous understanding, agreement or connection with any other person, firm, or corporation making a proposal for the same purpose, and is in all respects fair and without collusion or fraud.

Third That no member of the Board of Education of the Pleasantville Union Free School District nor any officer or employee or person whose salary is payable as a whole or in part from the treasury of said Board of Education is directly or indirectly interested in this proposal or in the supplies, materials, equipment, work, or services to which it relates, or in any portion of the profits thereof.

Fourth That said proposer has carefully examined the instructions, schedules, and specifications prepared under the direction of the board of Education, and will, if successful in this proposal, furnish and deliver at the prices proposed and within the time stated, all materials, supplies, apparatus, goods, wares, merchandise, services, or labor for which this proposal is made.

Fifth That the prices quoted are net and exclusive of all federal, state, and municipal sales and excise taxes.

Sixth The following non-collusive proposal certification applies to this proposal.

Subscribed and sworn to before me

this \_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
(Person, Firm, or corporation)

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
(Authorized Signature)

**PLEASANTVILLE UNION FREE SCHOOL DISTRICT**  
***Request for Proposal – Architectural & Engineering Services***

**Appendix G - AFFIDAVIT**

***THIS FORM MUST BE SIGNED AND NOTARIZED***

\_\_\_\_\_, being duly sworn, deposes and says, that as an

Owner/operator of : \_\_\_\_\_:

I hereby further represent to the Pleasantville Union Free School District that (check any that apply)

\_\_\_\_\_ (A) The criminal history check will reveal that the owners/officers of this entity have no criminal history.

\_\_\_\_\_ (B) The criminal history check will indicate that any of the owners/officers have been convicted of a crime.

\_\_\_\_\_ (C) The criminal history check will indicate that any of the owners/officers have a pending criminal charge

\_\_\_\_\_ (D) The entity and or officers/owners have had lawsuit(s) filed against it

\_\_\_\_\_ (E) The entity and or officers/owners have any pending lawsuits filed against it

\_\_\_\_\_ (F) The entity and or officers/owners have initiated a claim(s) and or lawsuit(s) against another entity, public or private

If any of the above (B-C) were checked, I hereby provide the following details explaining my answer. Include at the minimum, the date(s) of conviction(s) and /or charge(s); for what crime(s) you were convicted or charged with; the jurisdiction(s) by which you were convicted or charged.

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

If any of the above (D-E) were checked, I hereby provide the following details explaining my answer. Include at the minimum, the date(s) the lawsuit(s) was filed; the reason for the lawsuit(s); the jurisdiction(s) where the lawsuit(s) was filed and the outcome(s) of the lawsuit(s).

\_\_\_\_\_

**PLEASANTVILLE UNION FREE SCHOOL DISTRICT**  
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If the above (F) were checked, I hereby provide the following details explaining my answer. Include at the minimum, the date(s) the claim(s) and or lawsuit(s) was filed; the reason for the claim(s) and or lawsuit(s); the jurisdiction(s) where the lawsuit(s) was filed and the outcome(s) of the claim(s) and or lawsuit(s).

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I understand that my completion and submission of this Affidavit is just one part of the proposal process. I certify that my statements in this Affidavit and in any explanatory enclosures are, to the best of my knowledge and belief, true and correct, and that any omission and/or misstatement of any material fact(s) may cause the District to: (A) reject the submission of this proposal, (B) revoke any award of contract from the Board of Education; and/or terminate the contract and provide for the forfeiture of any pending fees.

Subscribed and sworn to before me

this \_\_\_\_ day of \_\_\_\_\_, 2018

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(Person, Firm, or corporation)

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Notary Public

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(Authorized Signature)

**PLEASANTVILLE UNION FREE SCHOOL DISTRICT *Request  
for Proposal – Architectural & Engineering Services***

**Appendix H – ARCHITECT FEE**

**Schedule of professional fees and expenses:** *(fill-in chart below)*

<u>Project Budget</u>			<u>Architect's Fee</u>	
\$0.00	to	\$500,001	_____	% of Cost
\$500,001	to	\$3,000,000	_____	% of Cost
\$3,000,001	to	\$5,000,000	_____	% of Cost
\$5,000,001	to	\$10,000,000	_____	% of Cost
\$10,000,001	and	over	_____	% of Cost

**Pre-Referendum Cost** \_\_\_\_\_

Please provide an itemized list of all reimbursable cost items anticipated and not included in the fee.

**Appendix I – BUILDING CONDITION SURVEY 5-YEAR PLAN**