



**RANCHO SANTA FE FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA**

Rancho Santa Fe FPD
Board Room – 18027 Calle Ambiente
Rancho Santa Fe, California 92067

March 16, 2017
10:00 am PT
Special Meeting

Director Hillgren will participate via teleconference
306 Kootenai Court, Sun Valley ID 83353

March 16, 2017
11:00 am MDT

RULES FOR ADDRESSING BOARD OF DIRECTORS

Members of the audience who wish to address the Board of Directors are requested to complete a form near the entrance of the meeting room and submit it to the Board Clerk.

Any person may address the Board on any item of Board business or Board concern. The Board cannot take action on any matter presented during Public Comment, but can refer it to the Administrative Officer for review and possible discussion at a future meeting. As permitted by State Law, the Board may take action on matters of an urgent nature or which require immediate attention. The maximum time allotted for each presentation is FIVE (5) MINUTES.

Pledge of Allegiance

1. Roll Call

2. Public Comment

3. New Business

a. Request for Statement of Qualifications (RFSQ)

To discuss and/or approve the distribution and posting a request for statement of Qualification for Design Build Services for Fire Station No. 5

ACTION REQUESTED: **Approve**

4. Adjournment

The next regular meeting Board of Directors meeting to be April 12, 2017 in the Board Room located at 18027 Calle Ambiente, Rancho Santa Fe, California. The business meeting will commence at 1:00 p.m.




RANCHO SANTA FE FIRE PROTECTION DISTRICT
Board of Directors Special Meeting Agenda
Thursday, March 16, 2017 10:00 am PT

CERTIFICATION OF POSTING

I certify that on March 14, 2017 a copy of the foregoing agenda was posted on the District's website and near the meeting place of the Board of Directors of Rancho Santa Fe Fire Protection District, said time being at least 24 hours in advance of the meeting of the Board of Directors (Government Code Section 54954.2)

Executed at Rancho Santa Fe, California on March 14, 2017



Karlana Rannals
Board Clerk



RANCHO SANTA FE FIRE PROTECTION DISTRICT

REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)

DESIGN BUILD SERVICES FOR FIRE STATION NO. 5

Date: March 20, 2017

Notice is hereby given that the Rancho Santa Fe Fire Protection District (Fire District), through its Fire Chief, is soliciting Statements of Qualifications from Design-Build Entities (D-BE) to design and construct a new Fire Station to serve the communities of Harmony Grove Village and Elfin Forest, California and surrounding areas. In accordance with the provisions of the California Public Contract Code Sections 22160-22169, the Fire District is utilizing a two-step process to prequalify, select and award a contract to a D-BE for the design and construction of Fire Station No.5.

The issuance of this RFSQ with the Prequalification Questionnaire is the first step in the process. The Fire District will score and rank all submittals. The D-BE's with the three (3) highest scores will be eligible to advance to the second step in the process (the issuance of a Design-Build Request for Proposal). The PROJECT will have a maximum guaranteed price of \$5 million that will include: the design, engineering, permitting, and construction of Fire Station No. 5. The PROJECT will consist of: a single-story structure of approximately 9,900 square feet, with three double deep apparatus bays, four crew dormitory rooms, two crew bathrooms, one Captain's dormitory room with adjacent bathroom, a public accessible restroom, office spaces, work spaces, kitchen, dining room, day room, training room, and fitness room for five personnel. In addition, boundary walls/fencing for the portion of the site for the fire station only, with automated gate, landscape and hardscape, monument sign, and sewer pump to provide lift to the existing gravity flow system.

Construction is scheduled to be completed by March 15, 2019.

Respondents are invited to review the information and to submit their Statement of Qualifications in accordance with the criteria established in this RFSQ. Written questions regarding this RFSQ must be received by Fire District no later than ten days prior to the due date. Questions may then be responded to by written amendment to this document. **Oral statements or instructions shall not constitute an amendment to the RFSQ.**

Submittal of Request for Qualifications may be hand delivered to Rancho Santa Fe Fire Protection District, Tony Michel, Fire Chief, 18027 Calle Ambiente, Rancho Santa Fe, CA, 92067, or mailed to Rancho Santa Fe Fire Protection District, Tony Michel, Fire Chief, P.O. Box 410, Rancho Santa Fe, CA 92067, and be received on or before 2:00 p.m., April 17, 2017.

If you have any questions, please contact Robin Biglione, Biglione Construction Management, Inc., at (760) 809-6187 or via e-mail at: robinraeputnam@gmail.com.

Sincerely,

Tony Michel
Fire Chief

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INTRODUCTION AND OVERVIEW

The Rancho Santa Fe Fire Protection District (FIRE DISTRICT), through its Fire Chief is seeking statements of qualifications from Design-Build Entities (D-BE) to design and construct a new Fire Station (PROJECT) to serve the community of Harmony Grove Village, California and surrounding areas.

In accordance with the provisions of Public Contract Code Sections 22160-22169, FIRE DISTRICT is utilizing a two-step process to prequalify, select and award a contract to a D-BE for Fire Station No. 5. This is the first step in which FIRE DISTRICT is issuing this RFSQ with the attached Prequalification Questionnaire. FIRE DISTRICT will score and rank all submittals. D-BEs with the three (3) highest scores will be eligible to advance to the second step in the process, participation in the Request for Proposal (RFP) for Design-Build of Fire Station No. 5. D-BEs scoring below the three (3) highest scores will be notified in writing that they are not eligible to participate in the RFP process.

Following the selection of the three (3) finalists, FIRE DISTRICT will proceed on to the second step of the procurement process. The second step will provide significantly more detail regarding the PROJECT requirements and expectations, allowing the three (3) Design-Build Entities to submit a response to the RFP. The selection of the successful Design-Build Entity for this PROJECT will be solely based on the determination of best value by FIRE DISTRICT, as determined by the evaluation committee, based on a proposal scoring system that will be published in Step two, the RFP.

PROJECT DESCRIPTION

The PROJECT will be located at 2604 Overlook Point Drive, Escondido, CA. The FIRE DISTRICT is seeking a qualified Design-Build Entity (D-BE) to design and construct a new Fire Station to serve the community of Harmony Grove Village, California and surrounding areas. The Project will be located on a parcel located off of Harmony Grove Village Parkway in the unincorporated community of Harmony Grove Village (2604 Overlook Point Drive, APN 235-562-02).

The PROJECT will consist of a single-story structure of approximately 9,900 square feet. The structure will include: three double deep, drive through, apparatus bays with bi-fold doors in both the front and rear; a training room designed for an occupancy of 50 students, with storage; a public, accessible restroom; a Captain's office; an open area for crew workspace; four crew dormitory rooms; two crew bathrooms, one Captain's dormitory room with adjacent bathroom; a dayroom; a kitchen/dining room; a gym; a janitor's closet (including domestic laundry hook-ups); a telecommunications room; an electrical room; an extractor/dryer room; and space allocated to the following additional functions, workshop, compressor, ice machine, medical supply storage, printer, decontamination, 20 turnout lockers, and hose storage.

In addition, the PROJECT will include: boundary walls/fencing, with automated gates; a secured parking area; outdoor patio and workout areas; outdoor lighting; a lighted flagpole; and, landscape and hardscape, for the approximately one-acre portion of the site dedicated to the fire station. In addition, a monument sign will be provided at the entrance to the site and a sewer pump will be included to provide lift to the existing gravity flow system. Further, PROJECT will include site planning and stubbing of conduit/utilities for future covered fueling facility, emergency power generator capable of carrying the full load of all site/station circuits, and a 10,000 square foot administration building. The project design and materials will be durable, functional and compatible with the character of the surrounding community.

The PROJECT will include all design, engineering, permits, grading, construction, material, labor, special observation, inspection, testing, verification, procurement, and installation of all equipment. D-BE will be responsible for obtaining all required permits, including federal, state, and local governance as well as coordination with all utilities and other regulatory agencies, start-up and commissioning required for occupancy and operations. The FIRE DISTRICT will pay the actual cost of all permits and fees. The final proposal must be the total cost for delivery of the entire PROJECT and all of its related elements as required by the RFP.

The successful D-BE will be afforded latitude in its proposal for PROJECT design but must meet certain specifications and requirements that will be stipulated by FIRE DISTRICT in the RFP.

INFORMATION ABOUT THE PROCESS

A complete response to the RFSQ will consist of providing all the forms and information requested in the RFSQ and the Prequalification Questionnaire (Pages B-1 through B-25). This response should be easy to understand, with attachments clearly identified. The front cover should indicate the D-BE's name and address and solicitation number and project name.

Submit one (1) clearly marked "Original" and three (3) duplicate hard copies of the Prequalification document and attachments to the Rancho Santa Fe Fire Protection District at the addresses noted on the cover page, prior to the due date and time. For purposes of determining responsiveness or non-responsiveness to this procurement if there is a discrepancy, the conforming documentation will be the "Original" hard copy. Prequalification documents should be submitted in a sealed envelope or package clearly marked on the exterior.

NOTICE OF PREQUALIFICATION REQUIREMENTS

Notice is hereby given that FIRE DISTRICT has determined that all offerors on this PROJECT must be pre-qualified and determined to be one of the three (3) highest ranked prequalifying entities prior to submitting a proposal for Step 2, the RFP process. It is mandatory that all Design-Build Entities who intend to submit a proposal for Step 2, the RFP, fully complete the Prequalification Questionnaire, provide all materials requested herein, and be selected and approved by FIRE DISTRICT as one of the three (3) highest ranked prequalifying entities, in order to be on the final qualified list. No proposal will be accepted from a Design-Build Entity that has failed to comply with these requirements.

While it is the intent of the Prequalification Questionnaire and supporting information required therewith to assist FIRE DISTRICT in determining the offeror responsibility prior to the submission of the proposal, neither the fact of Prequalification, nor any Prequalification rating, will preclude FIRE DISTRICT from a post-bid consideration and determination of whether an offeror has the quality, fitness, capacity and experience to satisfactorily perform the proposed work and has demonstrated the requisite trustworthiness.

A Design-Build Entity will be evaluated based upon how well the entity meets FIRE DISTRICT's requirements. A Design-Build Entity may be found not qualified for either: (1) Omission of requested information or (2) Falsification of information.

MINIMUM BONDING REQUIREMENTS

The Design-Build Entity, individually or as a team, must have the capacity to obtain performance and payment bonds for the full value of the design-build PROJECT. Prospective Design-Build Entities that cannot provide bonding at the required amount will not be considered qualified even though they may be qualified otherwise.

SCHEDULE

Following is the anticipated schedule for the two-step process:

Event	Anticipated Date*
RFSQ Issued	March 20, 2017
Questions Deadline	April 3, 2017
RFSQ Response Due	April 17, 2017
Shortlist Notification to Successful firms	May 22, 2017
Request for Proposals issued to Pre-Qualified Firms	June 5, 2017
Request for Proposals due	August 1, 2017
Contract Award	September 15, 2017
PROJECT Completion	September 15, 2019

**This schedule is tentative and may need to be adjusted.*

NO OBLIGATION

FIRE DISTRICT is under no obligation to prequalify any offeror under the RFSQ or award a contract under the RFP, and reserves the right to terminate the RFSQ or RFP process at any time, reject any or all Proposals received and/or to withdraw from discussions with all or any of the offerors who have responded.

RIGHT TO TERMINATE

FIRE DISTRICT in its sole discretion, reserves the right to terminate the RFSQ or RFP process and re-advertise with either the identical or revised terms, if it is deemed to be in the best interest of the FIRE DISTRICT to do so.

NO LIABILITY

In the event of rejection of any or all responses, or the termination of the RFSQ or RFP process, the FIRE DISTRICT shall not be liable for any loss, damage, cost or expense incurred or suffered by any offeror as a result of said rejection or cancellation.

NO CONFLICT

Offerors warrant and covenant that no official or employee of the FIRE DISTRICT, nor any business entity in which an official or employee of the FIRE DISTRICT has an interest, has been employed or retained to solicit or aid in the RFSQ or RFP process nor have any such persons divulged any information to an offeror not made available to all offerors. Further no official or employee of the FIRE DISTRICT, nor any business entity in which an official or employee of the FIRE DISTRICT has an interest, shall have any interest in any contract awarded to an offeror.

QUESTIONS

Questions and request for clarification related to the definition or interpretation of the RFSQ must be submitted to Robin Biglione, Biglione Construction Management, Inc., robinraeputnam@gmail.com, ten days prior to the due date. Inquiries received after this date, will not be answered.

1. PROJECT REQUIREMENTS

1.1 PROJECT DESCRIPTION

The proposed PROJECT is located on a 2.54-acre site in the Harmony Grove Village community, west of the intersection of Harmony Grove Road and Harmony Grove Village Parkway. Surrounding land uses near the site of the proposed PROJECT include new residential development. The Harmony Grove Village Specific Plan also calls for some office/retail and live/work land uses within the specific plan area in the future. Currently, temporary Fire Station No. 5 is located in the southeast portion of the site.

Comparable Project Attributes

A comparable project has the attributes listed below (1-3). If a project has a portion of the attributes, only those attributes will be scored. If a submitted project has none of the attributes, it will be scored as a zero and will not be used for Reference Questions in RFSQ Section B, Part V:

- 1) Fire Station Project located in California constructed in accordance with the Essential Services Buildings Seismic Safety Act completed in the last ten (10) years (2006 or later).
- 2) Essential Buildings completed in the last ten (10) years (2006 or later).
- 3) Indicate the D-BE Member's responsibility: For the General D-BE, indicate whether project involvement was as the primary at-risk construction entity, or as another associated firm. For the Architect, indicate if project involvement was as Architect of Record, or in a production capacity, or indicate responsibility for oversight agency review process.

Please note that the comparable project attributes are referenced again in Section B of this RFSQ.

Prequalified Disciplines

Disciplines to be prequalified for this solicitation include:

- 1) Architect
- 2) General Contractor

Please note that the Prequalified Disciplines are referenced again in Section B of this RFSQ.

Note: The FIRE DISTRICT will provide geotechnical report with foundation recommendations at the time of issuance of the Request for Proposals (RFP).

1.2 GUARANTEED MAXIMUM PRICE (GMP)

The Guaranteed Maximum Price is estimated not to exceed \$5 Million Dollars (\$5,000,000.00) (subject to revision prior to RFP phase). More detailed information will be provided during the RFP phase. Any proposals received in response to the RFP (second step of the process, should FIRE DISTRICT choose to proceed) which are greater than the GMP will be deemed "Non-Responsive".

2. RFSQ PROCESS

2.1 PROCESS OVERVIEW

- 2.1.1 RFSQ documents, PROJECT information and any issued addenda are available to be downloaded, from website (link listed below). It is the D-BE's responsibility to periodically check the website for addenda or other updates to this RFSQ. <http://www.rsffire.org/about/business.html>
- 2.1.2 Diligence Material, if provided, is subject to the following disclaimer:
- Neither FIRE DISTRICT nor any of its agents, advisors, or representatives has made or makes any representation or warranty, express or implied, as to the accuracy or completeness of the Diligence Material. Without limiting the generality of the foregoing, the Diligence Material may include certain assumptions, statements, estimates, and projections provided by or with respect to FIRE DISTRICT. Such assumptions, statements, estimates, and projections reflect various assumptions made by FIRE DISTRICT, which assumptions may or may not prove to be correct. No representations are made by FIRE DISTRICT as to the accuracy of such assumptions, statements, estimates, or projections.
- 2.1.3 All inquiries related to this RFSQ must be directed concurrently by email to person(s) identified on page 6 of this RFSQ. You should not attempt to contact any other FIRE DISTRICT personnel or members of the PROJECT team about this RFSQ unless authorized by the persons identified on page 6 of this RFSQ.
- 2.1.4 If required, written addenda to the RFSQ will be issued and posted on FIRE DISTRICT's website. (See link provided in Section 2.1.1).
- 2.1.5 Prequalification documents will be evaluated by a Qualification Evaluation Committee (QEC) appointed by the FIRE DISTRICT's Fire Chief or his designee.
- 2.1.6 FIRE DISTRICT will notify all D-BEs and post a "Notice of Prequalification" on bid portal ([See link provided in Section 2.1.1](#)) within five (5) business days after receipt and approval of the Qualification Evaluation Committee's recommendation.

2.2 SUBMISSION OF PREQUALIFICATION DOCUMENT

- 2.2.1 The Prequalification Document must be submitted and received by FIRE DISTRICT at one of the addresses noted and by the due date and time specified in the Cover Letter to this RFSQ.
- 2.2.2 In order to prohibit the procurement of any goods or services ultimately funded by Federal awards from debarred, suspended or otherwise excluded parties, each respondent will be screened at the time of RFSQ response to ensure respondent, its principal and their named subcontractors are not debarred, suspended or otherwise excluded by the United States Government in compliance with the requirements of 7 Code of Federal Regulations (CFR) 3016.35, 28 CFR 66.35, 29 CFR 97.35, 34 CFR 80.35, 45 CFR 92.35 and Executive Order 12549. FIRE DISTRICT will verify offeror, its principal, and their named subcontractors are not on the Federal debarred, suspended, or otherwise excluded list of vendors located at www.epls.gov.

- 2.2.3 It is understood and agreed upon by the D-BE in submitting a Prequalification document that FIRE DISTRICT has the right to withhold all information regarding this prequalification until after contract award. The Qualification Evaluation Committee (QEC) report shall become a public record after contract award. D-BE's acknowledge that they only have the right to review that portion of the report that pertains to them prior to contract award. Information releasable after contract award is subject to the disclosure requirements of the Public Records Act, California Government Code Section 6250, et seq.
- 2.2.4 D-BEs shall provide all materials required in this RFSQ.
- 2.2.5 The Prequalification Document shall provide clear and sufficient detail to enable the QEC to evaluate the responsiveness and quality of the proposal to each of the RFSQ requirements listed in "RFSQ Submittal Requirements". Although some factors are weighted more important than others, all factors are considered necessary for a responsive submittal.

2.3 EVALUATION AND PREQUALIFICATION

- 2.3.1 The Prequalification Document will be evaluated based upon the information provided in response to this RFSQ and any other information known to FIRE DISTRICT based on the qualification criteria listed in the Prequalification Score Sheet. For purposes of evaluation of the Prequalification Document, only the hard-copy materials marked "Original" will be considered.
- 2.3.2 FIRE DISTRICT reserves the right to request clarification and/or request additional information from D-BEs if deemed necessary. Such clarifications and/or additional information shall be submitted by the D-BE as an addendum to the Prequalification Document upon request of FIRE DISTRICT. The fact that FIRE DISTRICT may request such clarification from one D-BE does not obligate it to seek similar clarification from any other D-BE.
- 2.3.3 Upon receipt and approval of the QEC's recommendation of the three (3) highest qualifying scores, FIRE DISTRICT will post a "Notice of Prequalification" within five (5) business days. The "Notice of Prequalification" will identify the three (3) D-BEs that will be eligible to participate in the RFP process.
- 2.3.4 FIRE DISTRICT reserves the right to waive minor irregularities and omissions in the information contained in the Prequalification Questionnaire submitted, to make all final determinations, and to determine at any time that the Prequalification procedures will not be applied to a specific future project. FIRE DISTRICT reserves the right to adjust, increase, limit, suspend, or rescind the Prequalification rating based on subsequent learned information. Design-Build Entities whose rating changes sufficiently to disqualify them will be notified.

2.4 SIGNATURE

The Prequalification Document shall be certified by an authorized officer or employee. By signature on the Prequalification Document, the respondent certifies:

- a) The submission of the offer did not involve collusion or other anti-competitive practices.
- b) The Respondent shall not discriminate against any employee or applicant for employment in violation of Federal or State law.
- c) The Respondent has not given, offered to give, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, meal or service to a public servant in connection with the submitted offer.
- d) The Respondent hereby certifies that the individual signing the submittal is an authorized agent for the Offeror and has the authority to legally bind the Offeror to the Contract.
- e) The Respondent hereby certifies, its principal and their named subcontractors are not debarred, suspended, or otherwise excluded by the United States Government.

2.5 PROPRIETARY INFORMATION

All response documents become the property of FIRE DISTRICT and subject to Public Records Act requirements of California Government Code section 6250, et seq. D-BE is encouraged to mark any documents "CONFIDENTIAL" that they deem to be confidential before submission to FIRE DISTRICT. Information provided will be kept confidential to the extent permitted by law. The proprietary or confidential data shall be readily separable from the Prequalification Questionnaire in order to facilitate eventual public inspection of the non-confidential portion of the Prequalification Questionnaire.

FIRE DISTRICT assumes no responsibility for disclosure or use of unmarked data for any purpose.

2.6 UNNECESSARILY ELABORATE INFORMATION

Unnecessarily elaborate brochures, visual or other presentations, artwork and paper and binding beyond those sufficient to present a complete and effective Prequalification Document are neither necessary nor desired, and are strongly discouraged.

2.7 FIRE DISTRICT RIGHTS

- 2.7.1 FIRE DISTRICT shall have the right to reject or accept any Prequalification Document, or any part thereof, for any reason whatsoever, at its sole discretion.
- 2.7.2 This RFSQ or any resulting "Notice of Prequalification" does not commit FIRE DISTRICT to issue a Request for Proposal, award a contract, nor does it commit FIRE DISTRICT to pay any cost incurred in the response to this solicitation, attendance at the Prequalification conference, or in the preparation or submission of the Prequalification Document or attachments, nor procure or contract for services or supplies. Further, no reimbursable cost may be incurred in anticipation of selection or a contract award.
- 2.7.3 FIRE DISTRICT in its sole discretion reserves the right to cancel the RFSQ or RFP at any time, in part or in its entirety, should this be in the best interest of FIRE DISTRICT.
- 2.7.4 In the event of rejection of any or all responses, or the termination of the RFSQ or RFP process, the FIRE DISTRICT shall not be liable for any loss, damage, cost or expense incurred or suffered by any offeror as a result of said rejection or cancellation.

2.7.5 No prior, current, or post award verbal conversation or agreement(s) with any officer, agent, or employee of FIRE DISTRICT shall affect or modify any terms or obligations of the RFSQ or RFP, or any contract resulting from this process.

2.7.6 FIRE DISTRICT reserves the right to waive any informality or irregularity in the Prequalification Documents submitted.

2.8 LATE, MODIFIED, OR WITHDRAWN PREQUALIFICATION DOCUMENT

2.8.1 Late submissions of the Prequalification Document cannot be considered unless they are the only one received or there was mishandling on the part of FIRE DISTRICT staff. The Prequalification Documents must be received in the FIRE DISTRICT office by the identified Due Date and Time.

2.8.2 Any modification of a Prequalification Document is subject to the same conditions as the initial submission.

2.8.3 The Prequalification Document may be withdrawn at any time prior to the Due Date and Time by written notice, or in person by a D-BE or its authorized representative, provided the authorized representative's identity is made known and the representative signs a proposal withdrawal receipt.

2.9 NON-RESPONSIVE SUBMISSIONS

Any Prequalification Document may be construed as non-responsive and ineligible for consideration if it does not comply with the requirements of the RFSQ. Failure to comply with the format and acknowledgment of receipt of addendum are common causes for holding a submittal non-responsive.

2.10 KNOWLEDGE OF RFSQ AND CONDITIONS

Before submitting a Prequalification Document, D-BEs shall carefully read all sections of this RFSQ and any addenda thereto, including all forms and exhibits, and shall fully inform themselves as to all conditions and limitations.

2.11 DUTY TO INQUIRE

Should a D-BE find discrepancies in or omissions from the RFSQ or other documents, or should the D-BE be in doubt as to their meaning, the D-BE shall at once notify FIRE DISTRICT by email. Addenda if issued will be posted on FIRE DISTRICT website. It is the D-BE's responsibility to periodically check FIRE DISTRICT's website for such addenda. FIRE DISTRICT will not be responsible for any oral instructions nor for any written materials provided by any person other than designated FIRE DISTRICT representative. Responses will not be provided to questions received after the date stated in the Cover Letter.

2.12 PROTEST PROCEDURE

Any protest resulting from this qualification process is to be processed as prescribed below:

2.12.1 **OBJECTIONS:** Any objections as to the structure, content, or distribution of this RFSQ must be submitted in writing to FIRE DISTRICT Designee not less than five (5) working days before the due date. Objections must be as specific as possible, and identify the RFSQ section number and title, as well as a description and rationale for the objection.

- 2.12.2 **PROTESTS:** If an unsuccessful respondent to the RFSQ wishes to protest the results, the unsuccessful respondent must submit the protest in writing to FIRE DISTRICT's Designee no later than ten (10) calendar days after announcement of the results. Protest must detail the grounds, factual basis and provide all supporting information. Protests will not be considered for disputes of RFSQ requirements, which must be addressed in accordance with item 2.12.1. The protest should be sent to: Rancho Santa Fe Fire Protection District, c/o Robin Biglione, Biglione Construction Management, Inc., robinraeputnam@gmail.com.

2.13 DEBRIEF

When a D-BE has been notified by FIRE DISTRICT that their Prequalification Document is no longer being considered, the D-BE may submit a request to FIRE DISTRICT for a “debriefing” on the findings on their Prequalification Document submittal (with no comparative information about Prequalification Documents submitted by others).

2.14 NEWS RELEASES

D-BEs shall not issue any news release pertaining to this RFSQ or RFP without prior written approval of the FIRE DISTRICT's Designee, which may be withheld at the FIRE DISTRICT's sole discretion. .

2.15 CLAIMS AGAINST THE FIRE DISTRICT

D-BE and its representatives shall have no claims whatsoever against FIRE DISTRICT or any of its respective officials, agents, or employees arising out of or relating to this RFSQ or these procedures (other than those arising under a contract with the D-BE and its representatives in accordance with the terms thereof).

2.16 EVENTS

The timing and sequence of events resulting from this RFSQ shall be determined by FIRE DISTRICT.

3. RFSQ SUBMITTAL REQUIREMENTS

3.1 DESIGN-BUILD ENTITY REQUIREMENTS

- 3.1.1 The Prequalification Document shall include the following and should be organized in the following manner:
- a) Cover Page
 - b) Response to RFSQ Information includes c & d below.
 - c) Prequalification Questionnaire Parts I through VII
 - d) Attachments
 - i. Copy of the agreement forming the D-BE partnership or association
 - ii. Certification (B-24)
- 3.1.2 The Original Prequalification Document should be submitted in a binder with tabs identifying each section. Attachments must be clearly identified. The front of the binder should indicate the RFSQ and D-BE's name and address.

- 3.1.3 The Internal Contract or Binding Agreement between the members of the D-BE must include a statement that specifically states that all partners and members agree to be fully liable for their performance under the terms of Design-Build contract with the D-BE.

3.2 WRITTEN REQUIREMENTS

- 3.2.1 The Prequalification Document shall be prepared and submitted in the required format with all forms, answers, and attachments sequentially numbered to correspond to the applicable question or requirement.
- 3.2.2 The Prequalification Document shall be clear, concise, and comprehensive in accordance with the requirements herein. The submittal shall not include promotional material of any kind.

4. EVALUATION OF PREQUALIFICATION DOCUMENTS

4.1 EVALUATION PROCESS

- 4.1.1 The evaluation process shall follow sequential steps and utilize scoring criteria to ensure that each Prequalification Document is evaluated in the same manner:
- a) **Timely Receipt:** Timely receipt at FIRE DISTRICT. Submittals must be received at the Rancho Santa Fe Fire Protection District front counter by the Due Date and Time.
 - b) **Evaluation of Prequalification Documents:** Objective conformance review by the Qualification Evaluation Committee.
 - c) **Scoring and Ranking:** Scoring and ranking of Prequalification Documents by the Qualification Evaluation Committee to determine three (3) highest scores.
- 4.1.2 The Prequalification Document will be evaluated. Adherence to Essential Requirements (See 4.2.2) will be evaluated first, and only those Submittals meeting all essential requirements will be evaluated further.
- 4.1.3 Public Contract Code, Section 20101, requires that Prequalification be based on specific criteria contained in the Code plus any additional criteria established by FIRE DISTRICT.
- 4.1.4 The evaluation shall be based on a formal scoring method using scoring criteria. Each Prequalification Document shall be reviewed for compliance with the RFSQ criteria.
- 4.1.4.1 Each Qualification Evaluation Committee member shall rate the value of each Prequalification Document based on his or her individual evaluation. The Committee members shall together then determine an agreed-upon rating for each criterion to establish the final score.
- 4.1.4.2 FIRE DISTRICT reserves the right to require interviews and to include such presentations in the evaluation.

4.2 SCORING AND RANKING

4.2.1 The scoring and ranking is based on evaluation of the Prequalification Document as measured against the scoring criteria in compliance with the RFSQ. Prequalification Documents will be evaluated and ranked from highest to lowest. FIRE DISTRICT will identify the three (3) highest scores in the following manner:

4.2.2 Essential Requirements (Pass/Fail)

- a) Provide certification that the answers submitted in the Prequalification Document are true and correct. If certification is not provided, the submittal shall be deemed non-responsive and will not be scored.
- b) Provide Surety Declaration stating that minimum bonding capacity will equal the amount estimated for the PROJECT. D-BEs who cannot meet minimum bonding capacity will not be deemed qualified. Reference Part VI Surety Declaration.
- c) D-BEs will be disqualified for answers to any question in Part II of the Questionnaire in a manner indicated as “Disqualifying”.
- d) Provide Representations and Certifications Form B-24 from the Prequalification Questionnaire. If forms are not provided, the submittal shall be deemed non-responsive and will not be scored.

4.2.2.1 **Scored Questions Responses** to Parts III, IV and V of the Prequalification Questionnaire will be scored with a uniform system of rating included in Part VII Prequalification Score Sheet.

4.2.3 The purpose of the scoring and ranking of the Prequalification Documents is limited to the identification of D-BEs with the three (3) highest scores that will be eligible to advance to the second step in the selection process, participation in response to the RFP, if FIRE DISTRICT chooses to proceed. The scores of the eligible D-BEs that are established at the conclusion of the Prequalification (RFSQ) phase will not be used in ranking the eligible D-BEs entering into or during the second step in the selection process, the Request For Proposal (RFP) phase, except as noted in Section 4.3 FIRE DISTRICT'S RIGHTS.

4.3 FIRE DISTRICT'S RIGHTS

After completion of the RFP process (second step), if the final negotiation of the contract with the highest ranked D-BE is not successful, FIRE DISTRICT in its sole discretion may terminate the negotiations and begin negotiations with the next highest ranked D-BE or terminate the process. This right shall be continued until a satisfactory contract can be negotiated or until FIRE DISTRICT elects to reject all proposals.

5. DESIGN-BUILD ENTITIES (D-BEs)

5.1 DEFINITION OF A DESIGN-BUILD ENTITY

A Design-Build Entity (D-BE) is defined by Public Contract Code Section 22161 [d] : “Design-build entity’ means a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract.”.

5.2 LISTING OF DESIGN-BUILD ENTITY MEMBERS

- 5.2.1 The D-BE shall identify and list in Part I of the Questionnaire the General D-BE and complete Part III of the Questionnaire. The General D-BE and Architect must each complete Part IV of the Questionnaire.
- 5.2.2 If the D-BE consists of a member performing both design and construction services (i.e. a General D-BE with a licensed design staff), then that member must complete Part IV for both parties. The D-BE will be scored as, and must qualify as, both General D-BE and Architect.
- 5.2.3 Substitutions. If the D-BE wishes to substitute any Member or required discipline identified in the Prequalification Document, it may not do so without the express written consent of FIRE DISTRICT. No such approval will be granted unless the Member is proposed to be replaced by a firm of equal or higher qualification and is subject to approval of the FIRE DISTRICT. This is not an implied consent. Upon notice of a substitution, FIRE DISTRICT reserves the right to: 1) re-score the Prequalification Document of the D-BE requesting the substitution, and 2) disqualify the D-BE if it is determined that the proposed Member is not “equally or higher qualified”. Should the D-BE feel that they have proposed an “equally or higher qualified” Member, it is still at the sole discretion of FIRE DISTRICT to determine “equally or higher qualified”.