

REQUEST FOR PROPOSALS (RFP)  
Facility Design/Build/Finance

**Utah Mountain School  
A New Charter School Building**

This RFP is Being Issued by:  
Utah Mountain School, a 501(c)(3), a Utah non-profit corporation  
Ogden, Utah

DATE OF RFP ISSUE: *June 27th, 2019*

Closing Date for Submission and Receipt: Tuesday July 9th, 2019 no later than 6:00 p.m. local time. Proposals must be received by this time.

Proposals are to be submitted as an electronic copy to Michael Jolley via email at the address below.

Board Contact: Michael Jolley  
Treasurer, Board of Directors  
[utahmountainschool@gmail.com](mailto:utahmountainschool@gmail.com)

The Owner assumes no responsibility or liability for any costs incurred by any bidders associated with this RFP whether or not such contractor submits a proposal in response to this RFP. The Owner intends to award a contract to the bidder that presents the best overall value to the Owner based on the Owner's evaluation of the Proposal. The Owner reserves the right in its sole discretion to reject all Proposals received and/or to make no award whatsoever under this RFP.

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## 1. General

### a. Purpose

Utah Mountain School is seeking qualifications from interested Developers for the design, construction and financing of an approximately 33,000 square foot 7-9 Jr. high school facility, in accordance with direction and oversight from the Board of Directors (“Directors”). Proposals submitted should include approximate building costs per square foot (based on historical compatibles), approximate acreage and additional details on potential school sites, a proposed financing structure, a lease rate range and a detailed terms of a purchase option for the school to be incorporated into the lease. Detailed requirements are listed below under “Service Requirements”.

The purpose of this project is to build a facility that will serve the specific needs of a new charter school in Ogden, Utah. The specific terms outlined in this RFP must be met. The proposal must include set line-item allowances for all aspects of construction including complete site development, finished parking, complete landscaping, utility connections, etc.

Utah Mountain School is a recently approved 7-9 charter school scheduled to open in August 2020 in Ogden, Utah. The school will operate with a model of STEM and SPED integrated curriculum with project-based learning. Technology will be used as a tool for hands-on learning and exploration.

### b. Expected Enrollment

The facility needs to be constructed for an occupancy of 400 students. The enrollment includes 150 students per grade with 225 as our minimum enrollment number.

### c. Key Dates

The desired date for commencement of work under the contract is on or about September 1, 2019 for project planning and building design, with ground breaking to occur after closing on the purchase of land and obtaining construction financing, on or before November 1, 2019. It is expected that all qualified applicants would have the ability to secure financing on the project by no later than September 30, 2019.

Building Design/Site Acquisition	August – September 2019
Financing Deadline/Final Land Purchase*	September 30, 2019
Groundbreaking Ceremony	November 2019
Begin Construction	November 2019
Occupancy	August 11, 2020

\* Contract will include provisions such that failure to obtain necessary financing by September 30, 2019 will enable Owner to award contract to another qualified bidder.

## **2. Background**

### **a. History**

Utah State Board of Education authorized Utah Mountain School on February 16th. The charter allows Utah Mountain School to teach 450 students in grades 7-9. A board of seven highly qualified educators, community volunteers, parents and business professionals lead Utah Mountain School.

If interested, a complete copy of Utah Mountain School's approved charter can be obtained online at: [https://docs.wixstatic.com/ugd/8e4806\\_8d4fd9d985fb425580a4c4f27f827227.pdf](https://docs.wixstatic.com/ugd/8e4806_8d4fd9d985fb425580a4c4f27f827227.pdf)

Additional information reasonably necessary for the evaluation of this project will also be provided to all interested bidders upon request.

### **a. School Design**

Utah Mountain School will have a dynamic facility that will inspire learning and innovation. Due to the nature of the target area the Board of Directors will be required to purchase land and build a facility. Even with the high residential growth in Ogden there are a variety of options of places to build.

The facility will allow for effective student learning and will be bright and inviting. The facility will be between 22,000 and 33,000 square feet in size and will provide classrooms and common areas for full enrollment. Utah Mountain School will accept bids for new building designs but preference will be given to existing-building renovations like the one below.



FOR SALE

## Washington Heights Baptist Church

1720 Washington Blvd. / Ogden, Utah



### 22,000 SF Commercial Building For Sale in downtown Ogden

#### Property Highlights

- Sales Price: \$1,190,000 (\$53.92 PSF)
- Size: 22,069 SF
- Land Size: 1.42 Acres
- Zoning: CP-2 and R-1-6
- Year Built: 1949, remodeled in 2011-2012
- Located on the Corner of Washington Blvd and 17th Street
- Building consists of multiple classrooms, offices, restrooms, 3 kitchen areas, and large open spaces previously used as sanctuaries



FOR SALE

# Washington Heights Baptist Church

1720 Washington Blvd. / Ogden, Utah



As Utah Mountain School is a Project-based STEM and SPED school having up to date technology available to the faculty and staff will be a priority. Fiber internet with wireless hubs throughout the school will be required as will smart boards and projectors in every classroom.

Utah Mountain School is not looking for a new and innovative design and will consider options of plans that are already in existence that will work to assist the school in carrying out its mission and vision.

### **3. Scope of Work**

#### **Land**

Property within the boundaries of Ogden, Utah will need to be identified and purchased. The Developer will need to provide funding for land and all associated improvement costs. Proposal should include identified locations with cost of property in addition to the requested location.

#### **Facility and Design**

Bidders should include construction costs from their selected General Contractor (“Contractor”) and should provide an estimated cost per square foot to construct a 22,000-33,000 square foot school, including classrooms, bathrooms, cafeteria, kitchen, kitchen for student use, etc. Providing actual building costs from other school projects would be a plus. Costs provided should include parking lots, landscaping, etc. and should reflect the construction of a quality school building. The proposal must include set line-item allowances for all items included in Appendix A.

The design of the building is of particular importance to Utah Mountain School that it reflects the mission and vision of the school. Accordingly, the Board expects to have mutual approval with the Developer and architect for this facility and mutually approve all facility design plans.

It is expected that the Board and Utah Mountain School’s Building Officer will be consistently and reasonably available to the selected Contractor during the construction process for technical advisement and value engineering analysis. Utah Mountain School anticipates the Contractor, Architect and Building Officer will meet weekly to facilitate the coordinated construction of the school from the time of delivery of contract to completion.

#### **Financing Structure**

Bidders should include a detailed explanation of a proposed financing structure, including capitalized interest, investor return, etc. Successful bidders will need to show evidence that actual funding is available to the satisfaction of the Board.

Utah Mountain School will require that a Lease Agreement with a facility purchase option acceptable to Utah Mountain School be executed with the Developer within thirty (30) days after selection by Utah Mountain School. In the event such Lease Agreement is not signed within such (30) days, Utah Mountain School reserves the right to terminate the relationship with the selected Developer with no further obligations to the Developer. Notwithstanding the above, Utah Mountain School may extend this deadline for more than thirty (30) days to the extent they believe the Developer is working with them in good faith to complete the lease.

The first lease payment would be due September 1, 2020 or October 1, 2020 (to be negotiated). A sample lease agreement complete with proposed maximum annual lease escalations, if any, should also be submitted.

As required by the State Charter Board, the lease is subject to approval by the Executive Director of the State Charter Office. Approval must be granted by the state no later than October 1, 2019. Failure to produce a lease acceptable for state approval may result in termination of the contract with no further obligation due to the Developer.

The lease should include language that allows Utah Mountain School to adopt a Public Building Use Policy as required by the new public law passed in 2016 required charter schools to allow for reasonable public use of the property.

Utah Mountain School will give priority to bidders who include buy-out options based off of construction costs and not appraisals for at least the first five years. How the buy-out is calculated should be detailed in the bid.

The lease and buyout should include detail that donated furniture, fixtures, or systems to the school remain the property of Utah Mountain School and will not be included in developer costs.

Any bidding Developer should be prepared to carry financing of the building for 1-5 years after occupancy. The school expects to refinance sooner than that, but requests the Developer be prepared to carry the financing for this period.

Utah Mountain School will require that the Contractor secure construction financing by no later than September 30, 2019. Utah Mountain School expects to work with the Developer by providing necessary documentation to secure financing; however, securing such financing is expected to be the responsibility of the Developer. In the event the Developer does not secure such financing September 30, 2019, Utah Mountain School reserves the right to terminate the relationship with the selected Developer with no further obligations to the Developer.

Utah Mountain School expects to use contract with the winning bidder for a complete financing package of land, construction, architectural fees, landscaping, and some furniture and fixtures.

#### **4. Expectations**

##### **Bidders**

It is expected that bidders will hold appropriate and current state licensure to engage in the business of commercial construction, before, during, and for a period of at least three years after completion of this project.

It is expected that bidders utilizing subcontractors will ensure that the selected subcontractors will hold appropriate and current state licensure to engage in the business of commercial construction during the project.

It is expected that all bidders have adequate financing to fund their business and construction obligations during the project. As such, Utah Mountain School will require the selected Developer to submit financial statements or other specific evidence of ability to finance within thirty days of selection (This information will be discussed by Utah Mountain School only in closed session and will be kept confidential to the extent allowable by applicable law.) Ideally, a bidder would also include documentation as to their ability to secure construction financing expeditiously from a qualified lender. Please know that the final contract will be cancellable if the Developer is not able to secure construction financing by September 30, 2019.

It is expected that all bidders be able to secure a bonding letter specific to the project stating that they can bond this project up to \$6 million.

Applicants will need to construct the facility consistent with the designs and specifications detailed in the plans of the selected architect. All substantive deviations from the construction according to plans must be made to Utah Mountain School's Building Officer.

### **Bidding Details**

It is expected that the winning bidder will begin coordination with the Board and the Utah Mountain School's Building Officer almost immediately after contract award, to qualify and secure the property for the school and develop and finalize building plans and specifications for final Utah Mountain School approval.

It is expected that the winning bidder will meet all legal requirements of charter school or school construction in the State of Utah and will comply with all applicable building codes, statutes and rules governing charter school or school construction.

It is expected that the winning bidder will obtain all necessary and appropriate approvals, permits (permits to be obtained in coordination with Utah Mountain School's Building Officer) and authorizations to commence construction by no later than November 1, 2019.

It is expected that bidders will have knowledge of and comply with construction reporting requirements for public schools in Utah.

It is expected that the winning bidder will provide Utah Mountain School's Building Officer with the necessary reporting information, including Construction Inspection Reports on a timely basis throughout the building process.

It is expected that the winning bidder will comply with all applicable federal statutes and Americans With Disabilities Act (ADA) regulations in Association with the design and construction of the charter school building.

It is expected that the winning bidder will construct a safe school using industry leading standards.

Utah Mountain School requests that bidder document their pay request process

It is expected that the final negotiated lease will include mutually agreed benchmarks in the construction of the facility (as well as penalties for missed benchmarks), including, but not limited to:

- Completion of lease contract with school by August 30, 2019
- Obtain construction financing of project by September 30, 2019
- Completion of design, architectural and engineering work by September 30, 2019.
- Transfer ownership of property for build site and obtain all necessary permits by November 1, 2019.
- Commence construction no later than November 15, 2019 (as required by USOE)
- Completion of construction and delivery of Final Certificate of Occupancy no later than August 1, 2020.

### **Pricing Proposal**

All bidders must submit a detailed proposal of a build price, and commensurate purchase option. Proposals must include a total cost with supporting line-item budgets (allotments) of the turnkey project. Included in that proposal should be line items for the following:

- Anticipated line-item for architectural design and engineering costs
- Land purchase and estimated impact fee amounts
- Purchase of commercial kitchen equipment necessary to the completion of a full Federal School Lunch kitchen facility.
- Landscaping
- Finance costs/arrangement
- Specifics details on materials to be incorporated into school
- General conditions costs
- Change order mark-up percentages to be applied (and standard AIA change order form to be used)

## **7. Submission Guidelines**

### **Bidder's Profile**

Bidders must identify relevant administrative, management, and financial capabilities as well as technical skills, qualifications and experience necessary and appropriate to the evaluation of their ability to successfully complete the proposed project and meet the objectives of the RFP. If proposal contains architectural services and building services, this information must be provided for both the architects and builders. Bidders will provide with their proposals at least four (4) references, including contact information of the end-user, for completed projects of a similar nature, preferably facilities constructed within Utah. Information that should be included with these references includes:

- Date of project completion, as defined by issuance of the certificate of occupancy as compared to intended date of completion.
- Dollar value of the projects and whether there was any contract changes or modifications made during construction.
- Initial budget versus final budget for each project.

## **Submission Format**

Bidders should submit their proposal in the preferred format:

1. Letter of Introduction:
  - a. Contractor name, contact person, address, telephone number, and a brief introduction to the bidding company, signed by person(s) authorized to bind the company to their proposed offer (RFP response). Attach resumes of key persons who would be responsible for this project.
2. Table of Contents:
  - a. Should include a list of all sections and Appendices in the RFP response and indicate corresponding page numbers, if appropriate.
3. Proposal Content:
  - a. Full details of the bidder's proposal Including: general approach, work plan, proposed schedule, methods, proposed materials, procedures, quality control, safety, project management, supervision, reporting structure and explanations of how all RFP/Project specifications will be achieved.
  - b. Indicate willingness to work with Utah Mountain School to design the building according to its mission and vision.
4. Pricing:
  - a. Indicate the proposal pricing as requested.
  - b. Indicate whether bidder would be willing to work with other financing options that would allow Utah Mountain School to own the building from occupancy.
5. Additional information:
  - a. References from similar projects
  - b. Resumes of Management Team and proposed project Superintendent(s)
  - c. Specific evidence of ability to finance the project
  - d. Construction and design cost projection breakdown. Included in this section should be a line-item allocation budget specifying estimated cost for all relevant construction categories.
  - e. Certification: Proposals should include a signed Certification similar to the following: "The statements made in this proposal are true and correct representations. If selected, [bidding company] shall negotiate in good faith with Utah Mountain School."

## **8. RFP Conditions**

### **Evaluation Criteria**

Evaluation criteria used to evaluate proposals include:

- Contractor’s price proposal and supporting budgets (15 points)
- Financing plan and evidenced ability to obtain financing in required time frame. (20 points)
- Ability to deliver completed facility in the necessary timeframe. Workload capacity of bidder during the necessary construction timeframe. (15 points)
- Developer’s ability to construct school according to the mission and vision of Utah Mountain School. (20 points)
- Past performance with regard to schedules, cost control, quality and responsiveness to owners as determined through quality of references. (20 points)
- Such other evaluation criteria as the Board may determine relevant (10 points)

**Acceptance of Proposal**

- Bids will be reviewed in a public meeting after the due date and time with the name of the bidder announced and recorded in the meeting minutes.
- Bid will be awarded to the firm whose proposal is determined to be the most advantageous to Utah Mountain School after consideration of all criteria. Factors included in that evaluation will be:
  - cost proposal
  - evidenced ability to obtain financing in time period required
  - quality of references on similar and recent projects.
- The winning bidder will receive the award in writing.

**Tentative RFP Schedule**

RFP Public Notice:	June 26th, 2019
Closing Date for Receipt of Proposal:	July 9th, 2019, 5pm
Review Bids:	July 17th, 2019, 6:30pm-8:00pm
Interviews:	July 18th & 19th, 2019
Awarding of Contract	No later than July 20th, 2019

- Please be prepared to be available in person or on the phone for an interview on July 18th & 19th. Two finalists will be selected for interviews.
- Only those submitting compliant bids will be considered for an interview.
- Utah Mountain School reserves the right to modify this schedule as needed for the best interest of the school.

**Disclosure**

All documents submitted by bidders shall become the property of the school. Proposal information is considered proprietary and as such shall be treated as confidential by Utah Mountain School to the extent allowed by applicable law. Information pertaining to Utah Mountain School obtained by the bidder as a result of participation in this project is confidential and must not be disclosed without written authorization from the school.

### **Reserved Right**

Utah Mountain School reserves the right to reject any or all submittals, or to waive any formality or technicality in any submittal, in the best interests of Utah Mountain School, while still complying with Utah State purchasing code. While it is the intent of Utah Mountain School to proceed with this appointment, this solicitation does not obligate Utah Mountain School to enter into a contract.

## Appendix A

Requested line items:

- Building Design & Engineering costs
- Land and improvement, including appropriate parking, and necessary site work
- Landscaping allowance, preference for low maintenance
- Kitchen allowance
- Proposed flooring and cost
- Phone/Data wiring (Cat 6)
- One speaker in each classroom
- Lockers without locks, square, approx 1'x1'
- Security and fire alarm system
- Speaker system for auditorium
- Cabinetry, built-ins,
- Flag poll
- A stand-alone outdoor sign with a variable message option
- Financing costs