



Office of Capital Programs

440 North Broad Street, 3rd Floor
Philadelphia, PA 19130-4015

REQUEST FOR QUALIFICATIONS FOR PAINT AND PLASTER REPAIRS ON AN AS-NEEDED BASIS (ROUND 5) ROLLING SUBMISSIONS

1.0 Subject

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

The Board of Educations (hereinafter referred to as “Board”) is the governing body of the School District of Philadelphia pursuant to the Public School Code, 24 P.S. §21-2102 and §3-301.

This is a two phase process to:

- (1) Receive submissions from interested contractors and select qualified contractors to perform paint and plaster repairs as needed at various District locations; and
- (2) Award contracts to approved contractors on a task order basis, to perform necessary paint and plaster repairs by individual locations.

PHASE 1: Interested contractors (also referred to as Prime Proposers) will submit their qualifications and pricing information specified below for evaluation and selection by the District in accordance with the procedure described below.

Selected contractors will be awarded contracts to perform paint and plaster repairs on an “as needed” basis with a total aggregate limit of \$6,000,000 for all contracts, but with no specific amount guaranteed for any individual contractor.

The intent of the District is to select more than one qualified contractor in order to have the capability to perform task order assignments at multiple locations at the same time.

PHASE 2: Qualified contractors will be invited to submit sealed bid proposals for a specific location or locations. The specific scope of work and schedule for each location will be finalized at a mandatory pre-bid meeting and site visit at that location.

Lump sum bid proposals will be due at a specified time, usually a week after the pre-bid meeting and site visit, and a task order issued to the contractor who submitted the lowest responsive bid.

Work under all these assignments will be performed until the end of the contract term or the aggregate limit for all contracts has been reached, whichever occurs first.

2.0 Place and Date of Submission

One (1) original and four (4) copies of the Proposal, plus one (1) electronic copy (flash drive in PDF format), shall be submitted in a sealed envelope clearly marked: "Paint and Plaster Repairs RFQ Due 3/01/19" with the name of the Prime Proposer's firm and their address.

Faxed and Electronically Transmitted Proposals will not be accepted.

COMPLETE PROPOSALS MAY BE SUBMITTED AT ANY TIME UNTIL 2:00 PM ON TUESDAY, MARCH 31, 2020

Incomplete Proposals will not be reviewed.

The Proposal shall be addressed to:

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

Site Visits:

Site Visits to show prospective Proposers a typical project location and example of the required paint and plaster repairs included in the Paint and Plaster Stabilization Program may be arranged by submitting a request by e-mail to Jesse Jones, Contracts Manager, capitalbids@philasd.org

3.0 Communications

All questions must be submitted in writing via e-mail to Jesse Jones, Contracts Manager, capitalbids@philasd.org. The subject line must include the name of the Project: "Paint and Plaster Repairs RFP."

The deadline for all questions is 2:00 pm, Tuesday, March 24, 2020. All responses for every inquiry, including amendments to this RFP, will be provided and posted on the Office of Capital Programs website.

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

4.0 Term and Amount of the Contract

The Term of this Contract will be for ONE (1) YEAR from the effective date of Notice to Proceed or when all authorized funds have been expended, whichever occurs first. The total amount for all contracts awarded for Paint and Plaster Repairs shall not exceed six million dollars (\$6,000,000). The School District reserves the right to award contracts to more than one bidder as may be in the best interest of the School District. No minimum amount of work is guaranteed to any contractor. The School District reserves the right to cancel this Contract for lack of performance or complete satisfaction of intent.

5.0 RFQ (Proposal) Submission Requirements

Submissions must be bound and must conform to the following form, format and sequence. Unbound or incomplete submissions may be rejected without review.

- A. Cover Letter
A narrative explaining the Prime Proposer's understanding of the Scope of Services and a narrative as to why it is qualified to undertake the services described herein.
- B. Organizational Chart
Graphical chart depicting the team proposed and a description of the organizational structure. This must include any and all proposed subcontractors.
- C. Proof of Registration
Provide copies of certificates demonstrating that,
 - (i) the Prime Proposer firm and all proposed subcontractor firms, and their employees are certified in accordance with the USEPA Renovation, Repair And Painting Regulations, dated April 22, 2011, and
 - (ii) the firm is signatory with the paint and plaster unions.
- D. Capacity

A statement indicating the current capacity of the Prime Proposer and all subcontractors.

- E. Financial Statements
The Prime Proposer must submit its most recent financial statement, which shall include, at a minimum, a balance sheet, related statements of income and retained earnings and cash flows and footnotes. (Audited statements or statements with opinion are preferred; compilations must be signed by a principal and include an affidavit attesting to their accuracy)
- F. Agreement to Contract Terms and Conditions – See Attachment “A”
The Prime Proposer shall review the sample contract and complete the form below acknowledging that they are in agreement with SDP’s Specifications for General Service Contract and no changes will be made to the Contract.
- G. City of Philadelphia Tax Compliance
Provide a copy of the Prime Proposer’s “Certificate of Tax Clearance” with the City of Philadelphia. Search for the firm’s tax compliance status at this link: <https://secure.phila.gov/revenue/TaxCompliance>. If the firm is compliant, print and attach the certificate. If the firm is not compliant, please contact the City Revenue Department Tax Clearance Unit at (215) 686-6565.
- H. Anti-Discrimination Policy & Equal Opportunity Non-Discrimination Notice – See Attachment “B”
The Prime Proposer must sign the form below acknowledging and agreeing to adhere to the District’s Anti-Discrimination Policy.
- I. M/WBE Participation Plan Form – See Attachment “C”
The Prime Proposer must complete the M/WBE Participation Plan form. The respondent to this RFP will include 15%-20% participation with either a minority-owned business enterprise(s) and/or with a woman-owned business enterprise(s).
- J. Proof of Insurance –See Attachment “D”
Provide Certificate(s) of Insurance indicating current insurance coverage and policy limits of the Prime Proposer’s firm for the following:
 - a. Workers’ Compensation and Employers’ Liability Insurance
 - b. Commercial General Liability Insurance
 - c. Automobile Liability Insurance
 - d. Excess Umbrella Insurance
 - e. Environmental Liability/Contractor’s Pollution Insurance

Successful Prime Proposer(s) must provide evidence of current insurance coverage prior to execution of the contract.

6.0 RFQ Selection Procedure

Proposals deemed to be incomplete or non-responsive may be rejected without evaluation.

A responsive proposal is complete and addresses all requirements of the RFQ. Each complete and responsive proposal will be reviewed by the Office of Capital Programs to determine whether the proposer meets all the criteria and is qualified or not

The SDP reserves the right to reject any or all proposals when such rejection is in the best interest of the SDP. The SDP reserves the right to waive any informalities and technicalities in the RFP process or any non-material defects in proposals.

If for any reason whatsoever the SDP rejects any proposer's proposal, the proposer agrees that it will not seek to recover lost profits on work not performed nor will it seek to recover its proposal preparation costs. By submitting its proposal, the proposer expressly states that it intends to be legally bound and accepts the limitation of remedies set forth in this paragraph.

By submitting its proposal, the proposer further expressly states that should it file, initiate, or persuade another to file, initiate, or, in any other manner, pursue or encourage any lawsuit, or that such filing, initiating, or other pursuit, constitutes a breach of its agreement with the SDP and that it will be liable for damages incurred by the SDP arising from the breach of this agreement including, but not limited to, the SDP's attorneys' fees and costs of defending such action.

7.0 Notification of Award

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

8.0 Contract Scope of Services

A. The work to be done under these contracts, in summary, includes Paint and Plaster Repairs services on a "requirements" or "as needed" basis and is anticipated to include, but is not limited to the following:

- a. Paint and Plaster repairs at various locations per the Scope of Work for each location and in compliance with:
 - (i) US EPA Renovation, Repair, and Painting Regulations dated April 22, 2010; and,
 - (ii) the School District's Paint and Plaster Stabilization Project Plan and Procedures
- b. Responding to spill cleanups requiring HEPA vacuuming and wet wiping response actions of Paint and Plaster on all surfaces. This service will be

required seven (7) days per week, twenty-four (24) hours per day. All service calls must be responded to immediately.

- c. Work will consist of the furnishing of all labor, materials, and equipment necessary for performing Paint and Plaster services. The Contractor will properly remove and dispose of waste generated materials in accordance with all federal, state, and local regulations.
- d. The Contractor shall provide all necessary tools and equipment of the trade to complete the required work for this contract including but not limited to, HEPA vacuum(s), airless sprayers, ground fault circuit interrupters (GFCI) panels, ladder(s), scaffold, and all associated painting and plaster equipment at no additional cost to the District.
- e. The Contractor shall provide all the necessary materials of the trade to complete the required work of this contract including but not limited to: 6 mil poly, duct tape, painters tape, signage, personnel protective equipment and all associated filters, at no additional charge to the School District.
- f. No additional charges will be paid by the School District to the Contractor for the repair or replacement of any tools or equipment, which is broken, vandalized, stolen, or wear out as a result of work done under this contract.

B. Additional information on the District's Paint and Plaster Stabilization Program is available on the District website at

<https://www.philasd.org/facilities/paint-andplasterstabilization/>, including preliminary scopes of work for individual schools to be performed by contractors as part of this solicitation and frequent questions and answers

The Paint and Plaster Stabilization Project Plan and Procedures can be accessed at <https://www.philasd.org/facilities/wpcontent/uploads/sites/71/2018/07/Paint-and-Plaster-July-20-2018.pdf>

NOTE: These scopes of work are preliminary and the final scope of work for each individual location will be determined at the time task order proposals are requested.

ATTACHMENT "A"

SPECIFICATIONS FOR PAINT AND PLASTER REPAIRS BY LOCATION

The "Specification for General Service Task Order Agreement-Paint and Plaster Repairs by Location" shall serve as a "sample" document for the Prime Proposer(s) to review. Said "sample" contract shall not be construed as a contract between the Prime Proposer and the SDP. The Sample Contract is attached.

I have read the sample "*Specification for General Service Contract-Paint and Plaster Repairs by Location*" and agree to enter into a Contract for this Project under the Terms and Conditions of that Contract , and accept specific assignments under the Terms and Conditions of the Task Order Agreement for Paint and Plaster Repairs by Location, and will not take any exceptions to the Terms and Conditions.

Prime Proposer's Firm Name: _____

Corporate Seal: Affix Here

Signature: _____ (Principal / Owner)

Title: _____

Date: _____

ATTACHMENT "B"

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

SECTION 1. THE POLICY

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

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

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

SECTION 2. PROCEDURES FOR IMPLEMENTATION

1. Articulation of the Policy. Staffing and Reporting

The Office of General Counsel and Office of Small Business Development will develop language to be included in bid solicitations and requests for proposals that clearly sets forth the objective of the Policy (the "Solicitation Language"). District employees shall include the Solicitation Language in all bids, public solicitations, requests for proposals and all communications to potential Contractors, including those who wish to provide professional services to the District. The Policy shall be articulated to the public in general, and to each Contractor, assignee, lessee or licensee doing or seeking to do business with the District. The District may employ additional staff or contract with other public or private entities to assist in the implementation of the Policy. SBD shall provide the SRC with annual reports on the level of M/WBE participation in all contracting activities.

2. Promotion of M/WBEs

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

3. Contracting Requirements

a. Bids, Request for Proposals and Public Solicitations

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

b. Contracts for Professional Services

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

4. Sanctions

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

EQUAL OPPORTUNITY

A. EQUAL OPPORTUNITY

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

Proposals. If it is later discovered or determined that the Respondent knowingly rendered an erroneous certification, then the School District may pursue available remedies, including termination of the contract.

B. NON-DISCRIMINATION

1. NON-DISCRIMINATION IN HIRING

The Respondent agrees that it will comply with provisions of the Philadelphia Fair Practices Ordinance administered by the Human Relations Commission of the City of Philadelphia, the Pennsylvania Human Relations Act. No. 222, October 27, 1955, as amended, 43 P.S. Section 951

et seq; Title 7 of the Civil Rights Act of 1964, 42 U.S.C. Section 2000 et seq., and all pertinent regulations adopted pursuant to the foregoing in providing equal employment opportunities in connection with all work performed by it pursuant to any contract awarded to Respondent, (the "Contract"). The Respondent, therefore agrees:

- That it will not discriminate nor permit discrimination by its agents, servants or employees against any employee or applicant for employment with regard to hiring, tenure or employment, promotion, or any other terms, conditions or privileges of employment because of race, color, sex, religion, age, national origin, sex, ancestry, handicap or disability and will move aggressively as is hereinafter set forth to prevent same.
- In all publications or advertisements for employees to work at the job site covered by the Contract placed by or on behalf of the Respondent, the Respondent will state that all qualified applicants will receive consideration for employment without regard to race, color, religion, age, national origin, sex, ancestry, handicap or disability.
- The Respondent will notify each labor union or workers' representative from whom it seeks workers of the Respondent's commitment as set forth in its proposal, and request that each union or workers' representative include minority group members and women among its referrals.
- The Respondent will hire minority and female workers for the skilled and unskilled jobs required to perform the Contract in proportion to their availability in the relevant labor pools in the Philadelphia Metropolitan Statistical Area, or to their availability in its qualified applicant pool, whichever is greater.
- The Respondent will post in conspicuous places available to its employees and to applicants for employment, a notice of fair practices to be provided by the Philadelphia Human Relations Commission.
- The Respondent will maintain a work environment free of harassment, intimidation and coercion, and will ensure that all on-site supervisory personnel are aware of and carry out Respondent's obligation to maintain such a working environment.
- That it will identify on each certified payroll form submitted to the School District those of its employees who are minority group members and those who are female. As used here, "minority" means African American, Hispanic, Asian, or Native American. The School District shall at all times have access to work site and to the Respondent's employment records to assure compliance with this subsection.
- That it will maintain on forms to be supplied by the School District, the name, race, sex, national origin, skill or craft, address, telephone number, and source of referral of each applicant for employment, which record shall show which applicants were hired.
- That in the event apprentices are hired in any skilled craft area, the Respondent will endeavor to hire equal numbers of culturally diverse male and female trainees in each skill area.

2. NON-DISCRIMINATION IN CONTRACTING

It is the policy of the School District of Philadelphia, that business concerns owned and controlled by minority group members and women shall have full and fair opportunity to participate in

performance of contracts let by the School District. A Respondent's plan to joint venture with or subcontract to minority and woman-owned firms (M/WBEs) and/or to utilize M/WBEs as sources of supplies, equipment, or services will be a significant part of the evaluation of the Respondent's responsibility.

The Respondent will consider all proposals from potential M/WBE firms and document on the forms supplied by the School District, the reasons for not entering into a joint venture or subcontract with a M/WBE.

Respondent to this RFP will include 15%-20% sub-consultant participation with either a minority-owned business enterprise(s) and/or with a woman-owned business enterprise(s).

Where the Respondent proposes to perform the total contract with its own work force without any joint venture or subcontracting, before the contract is awarded, the Respondent will submit to the School District, information sufficient for the School District to determine that the Respondent has made a good faith effort to attain meaningful and substantial participation of M/WBEs.

The Respondent's agreement to meet the requirements of the Section is a material representation of fact upon which reliance will be placed if a contract is awarded. If it is later determined that the Respondent has not made a good faith effort to comply, within the School District's sole judgment, the School District may pursue available remedies, including suspension or debarment of the Respondent from future School District work as non-responsible.

3. LIABILITY OF SUBCONTRACTORS

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

4. PENALTIES FOR FAILURE TO COMPLY

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

(Name of Firm)

(seal)

(Signature of Owner or Partner)

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

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

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

Company Name _____ Contact Person: _____
Address: _____ Phone: _____
City: _____ State: _____ Zip: _____
Fax: _____ E-mail: _____
Owner: ___African-American, ___Hispanic, ___Asian, ___Native American, ___Woman, ___Non-Profit, ___Caucasian, ___Other
Federal Tax ID _____ Certifying Agency: _____ Certification No.: _____
Bid Number or Subject of Resolution: _____

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

Company Name: _____ Owner: _____
Address: _____ Phone: _____
City: _____ State: _____ Zip: _____
Fax: _____ E-mail: _____
Owner: ___African-American, ___Hispanic, ___Asian, ___Native American, ___Woman, ___Non-Profit, ___Caucasian, ___Other
Federal Tax ID _____ Certifying Agency: _____ Certification No.: _____
Description of Work: _____
Dollar Value \$ _____ Percentage of Total Contract _____
Vendor Signature _____

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

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

ATTACHMENT "D"

ATTACH CURRENT CERTIFICATE(S) OF INSURANCE

Per 5.0 Submission Requirements, Item J