

**SAN RAFAEL CITY SCHOOLS
RESOLUTION NO. 1718-6**

**Adopting Modular Best Value Procedures and Guidelines for Modular
Projects Pursuant to Education Code Section 17406**

WHEREAS, the Board of Education ("Board") of the San Rafael City Schools ("District") desires to undertake modular lease-leaseback projects ("Modular LLB Projects") in accordance with applicable law;

WHEREAS, under Education Code section 17406, the District must award Modular LLB Projects based on a competitive solicitation process to the proposer providing the best value to the District, taking into consideration the proposer's demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required;

WHEREAS, before awarding a Facilities Lease and Site Lease for the Modular LLB Project, the District's Governing Board must adopt and publish required procedures and guidelines for evaluating the qualifications of proposers that ensure the best value selections by the District are conducted in a fair and impartial manner;

WHEREAS, on January 9, 2017, the Board approved Resolution 1712, adopting best value criteria and methodology for lease-leaseback projects in general ("General Best Value Methodology");

WHEREAS, the Board now wishes to adopt and publish best value criteria and methodology specific to Modular LLB Projects ("Modular Best Value Methodology"), which shall be used to evaluate the qualifications of proposers to ensure the best value selections by the District are conducted in a fair and impartial manner for Modular LLB Projects;

WHEREAS, the District's Modular Best Value Methodology shall be mandatory when awarding Modular LLB Projects;

WHEREAS, the District's previously adopted General Best Value Methodology shall continue to apply to non-modular lease-leaseback projects;

WHEREAS, District staff has developed the Modular Best Value Methodology to evaluate the qualifications of proposers, which is attached hereto as **Exhibit "A"**;

WHEREAS, the Modular Best Value Methodology incorporates the required procedures of Education Code section 17406(a)(2), including, identification of criteria, methodology for evaluating each criterion, and the weight assigned to each criterion; and

WHEREAS, the District desires to adopt and publish the Modular Best Value Methodology to evaluate the qualifications of proposers for its Modular LLB Projects.

NOW, THEREFORE, the Board of Education of the San Rafael City Schools hereby finds, determines, declares, orders and resolves as follows:

Section 1. That the above recitals are true and correct.

Section 2. That the Board of Education hereby determines that it is in the best interest of the school district to authorize lease-leaseback project procurement specifically for the construction of District modular projects pursuant to Education Code Section 17406.

Section 3. That the Modular Best Value Methodology is adopted and published pursuant to Education Code section 17406.

Section 4. That the District's Superintendent, or designee, is authorized to implement the Modular Best Value Methodology when evaluating the qualifications of proposers when awarding contracts for its Modular LLB Projects and to take any action which is necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.

APPROVED, PASSED AND ADOPTED by the Board of Education of the San Rafael City Schools on this 28th day of August, 2017, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

President of the Board of Education of the
San Rafael City Schools

Attested to:

Clerk of the Board of Education of the
San Rafael City Schools

EXHIBIT A

MODULAR BEST VALUE METHODOLOGY FOR DISTRICT'S MODULAR LEASE-LEASEBACK PROJECTS PURSUANT TO EDUCATION CODE SECTION 17406

1. Procedure for Soliciting Proposals

- a. The District shall prepare a request for sealed proposals ("RFP") from qualified proposers. The District shall include in the RFP:
 - i. An estimate of the price of the Project;
 - ii. A clear, precise description of any preconstruction services that may be required, and the facilities to be constructed;
 - iii. The key elements of the instrument to be awarded;
 - iv. A description of the format that proposals must follow, including the elements they must contain;
 - v. The standards the District will use in evaluating proposals;
 - vi. The date upon which proposals are due; and
 - vii. The timetable the District will following in reviewing and evaluating proposals.
- b. The District shall give notice of the RFP by publishing the notice:
 - i. in accordance with the requirements of Public Contract Code section 20112, by publishing notice in a newspaper of general circulation published in the District, or if there is no such paper, then in some newspaper of general circulation circulated in the county; and
 - ii. in a trade paper of general circulate at least once a week for two weeks.
- c. In order to submit a proposal, a proposer shall be prequalified in accordance with subdivisions (b) to (m), inclusive, of Public Contract Code section 20111.6.
- d. If electrical, mechanical, and plumbing subcontractors are used, they shall be subject to the same prequalification requirements for prospective bidders described in subdivisions (b) to (m), inclusive, of Public Contract Code section 20111.6, including the requirement for completion and submission of a standardized prequalification questionnaire and financial statement that is verified under oath and is not a public record.

2. Contents of Requests for Proposals

- a. The RFP shall identify all criteria that the District will consider in evaluating the proposals and qualifications of the proposers, by considering, relevant experience, safety record, price proposal, and other factors specified in the RFP.
- b. The price proposal shall include, at the District's discretion, either a lump-sum price for the Project or the proposer's proposed fee to

perform the services requested, including the proposer’s proposed fee to perform preconstruction services or any other work related to the facilities to be constructed, as requested by the District.

- c. The RFP shall specify whether each criterion will be evaluated pass-fail, or will be scored as a best value score, and whether proposers must achieve any minimum qualification score for award of the contract.

3. Methodology and Weighting System

- a. The District’s criteria and rating system is as follows:

CRITERIA ITEM	DESCRIPTION	MAXIMUM POINTS
Price Points	Price and Price Points Awarded	100 points
Technical Expertise	Technical Expertise and relevant experience with like-Projects	30 points
Modular Building System	Appropriateness & suitability of Modular Building System/Vendor partner for identified project	25 points
Subcontractors	Workforce and available skilled and qualified subcontractors	25 points
Safety	Safety record	20 points
Schedule	Project Schedule and Delivery Date	20 points
Staffing	Management and Staffing Approach	20 points
CHPS	Ability to meet/incorporate CHPS standards into project	10 points
<u>TOTAL: MAXIMUM 250 POINTS</u>		

- b. Based on these criteria and rating system, District staff assigns points to each proposer and calculates the percentage of points assigned for each criterion and for the total maximum points. The higher the percentage point, the higher the proposer is ranked, and the more it reflects the better combination of price and qualifications for the Project.

4. Evaluation and Award

Proposals shall be evaluated and the Project awarded in the following manner:

- a. All proposals received shall be reviewed to determine those that meet the format requirements and the standards specified in RFP.
- b. District shall evaluate the qualifications of the proposers based solely upon the criteria and evaluation methodology set forth in the RFP, and shall assign a best value score to each proposal. Once the evaluation is complete, all responsive proposals shall be ranked from the highest best value to the lowest best value to the District.

- c. The District's Board of Education ("Board") shall award the Project to the responsive proposer whose proposal is determined, in writing by the Board, to be the best value to the District.
- d. If the selected proposer refuses or fails to execute the tendered proposed contract, the Board may award the contract to the proposer with the second highest best value score if it deems it to be for the best interest of the District. If the second selected proposer refuses or fails to execute the tendered instrument, the Board of Trustees may award the instrument to the proposer with the third highest best value score if it deems it to be for the best interest of the District.
- e. Notwithstanding any other law, upon issuance of a contract award, the District shall publicly announce its award, identifying the entity to which the award is made, along with a statement regarding the basis of the award. The statement regarding the District's contract award and the contract file shall provide sufficient information to satisfy an external audit.

5. Discretion to Reject Proposals

The District's Board, at its sole discretion, may reject all proposals and request new proposals

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