

REQUEST FOR PROPOSALS (RFP)

RFP—Charter School Development Services/Turnkey Development Services

For the Utopian Academy for the Arts

**Charter School Building Purchase, Remodel and Leaseback (Turnkey
Development) for
Utopian Academy for the Arts (Middle School)**

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This RFP is Being Issued by:

Utopian Academy for the Arts/The Miller Foundation, Inc. a Federal 501-C3 Georgia non-profit corporation

6630 Camp Street
Riverdale, GA 30274-2404

Date of RFP Issue: December 2, 2016

**Closing date for submission and receipt: January 2, 2016 no later than 5:00pm EST.
PROPOSALS MUST BE RECEIVED BY THIS TIME.**

Proposals are to be submitted in an electronic format to: Artesius Miller, Executive Director via email at and the address below.

Contact Name: Utopian Academy for the Arts (Request for Proposal) Attn: Artesius Miller
Website: www.utopianacademy.com
Email: artesium.miller@utopianacademy.com

All questions should be submitted through a formal RFI and sent to the contact email.

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1. General

A. Purpose

The purpose of this proposal is to develop a partnership relationship with a Charter School Development Corporation for Turnkey Development of the Acquisition, Leasehold Improvement, and Leaseback of property in Riverdale, GA. The proposal must include:

B. Project Description

The anticipated occupancy of the project will be approximately 500 students in grades 6-8. This will require the purchase of property from the Clayton County School Authority along with tenant improvements of class rooms, offices, restrooms, kitchen, gymnasium and other rooms. After improvements, Utopian would expect to lease said facilities for the maximum years allowable under State of Georgia Laws (State of GA VCG Section).

C. Key Dates

The tentative dates for substantial progress are as follows:

1. Utopian enter agreement with Clayton County School System for Purchase of site on or before November 30, 2016
2. RFP Issuance Date: December 2, 2016
3. RFP Bid deadline: December 21, 2016
4. Selection of Partner January 5, 2016
5. Board Agreement on Selection of Partner January_19, 2017
6. Agreement of required documents & contract January 15, 2017
7. Required documents submitted for review January 20, 2017
8. Review period by selected Partner concluded February 5, 2017
9. Negotiation on key points February 10, 2017
10. Governing Board Approves Agreements February 20, 2017
11. Agreements Signed February 28, 2017
12. Start Purchase, and Redesign services by Partner March 5, 2017
13. Certificate of Occupancy and Substantial Completion July 31, 2017
14. School Opens August 2017

2. Background

A. History

Utopian Academy for the Arts is a State Charter Schools Commission approved public charter school; the single, state- approved charter school out of 16 initial applications during the 2013 petition cycle.

The idea for this school was the result of matching a need with a solution. Utopian Academy for the Arts was founded on the premise of serving one of the most historically underrepresented, and underserved communities in the metropolitan Atlanta area; Clayton County, GA. Beginning in 1995 to prepare for the 1996 Olympic Games, the City of Atlanta began the process of demolishing housing authority apartments throughout the city. Over a ten year period, this continued and majority of those families were relocated into Clayton County, GA.

In 2008, the state of Georgia and our nation witnessed the Clayton County Schools District lose its accreditation from the Southern Association of Colleges and Schools; the second U.S. district in 40 years to lose accreditation. The accreditation loss and the removal of the board members generated anger and concern about the fate of the 52,000 students in the largely black district's 59 schools. Additionally, as a result of accreditation lost, there was a significant increase in the number of students withdrawing from district schools. Additionally, in 2010, C-TRAN, the county's proprietary public transportation system dissolved. During this time, MARTA also discontinued services to/from Clayton County.

Seeking alternatives, families that don't have the option of moving from Clayton County and enrolling their children in private schools, seek public school choice options including charter schools. Unfortunately, in Clayton County, the demand for charter schools significantly exceeds its supply. The Clayton County School Board has not approved any charter schools within the last six years. However, as evidenced by the

2012 November general election, Clayton County voters had the highest percentage of Georgians to support the Charter School Constitutional Amendment (HR 1162), with a total of 71% in favor!

Recognizing the need for education reform and increased charter school offerings in Clayton County, seven individuals were brought together by Founder, Artesius Miller to create Utopian Academy for the Arts. Initially, Utopian Academy was founded on the premise to service the educational needs of Clayton County's most "at-risk" population, African American and Latino teenage males. However, with changes in federal education laws including Title IX, Utopian Academy for the Arts revised its enrollment plan to include female students. The rationale for the enrollment plan of Utopian Academy for the Arts is three-fold and is supported by research. We seek to provide a significant educational benefit of serving as the county's only charter middle school, and the only public school in Clayton County that uses a single-gender instructional approach. Additionally, our school is the only public school to offer a comprehensive educational program in the dramatic, media, and culinary arts.

3. Service Requirements

A. Minimum Requirements for a Partnership

In-order to be considered a responsive proposal, prospective partners responding to this RFP must at a minimum meet the following requirements and provide adequate information that they and their firm have the following qualifications:

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- I. Demonstrated experience with educational facilities of a similar type, size and complexity to that of this project and property
- II. Have completed at least two projects in Georgia within the past five (5) years
- III. Ability to provide 100% performance and payment bond for the project, if required
- IV. References submitted on at least three (3) projects of a similar size and complexity completed within the past five years, of which at least one shall have been completed by the proposed project manager and superintendent recommended for this project
- V. To be selected for the interview process, the prospective partner responding to this RFP must not have had, within the past 10 years: (1) any suspensions, disbarment or other action under which its general contract was found to have been disqualified from the bidding process for any public or private contract or from working on any public or private project; (2) any default or termination under a contract or other agreement, bankruptcy, receivership or insolvency proceedings or other proceeding, action or matter which precluded the contractor from full performance of its contractual or other legal obligations
- VI. The prospective partner shall outline how the utilization of its services will bring benefit to the Utopian Academy and its attempt to meet the five years Goals inferred within its Strategic Plan (attached). Prospective partners shall point out how its utilization shall be a determinate in meeting any of the Value Propositions, Things that must be done Excellently, or Strategic Objectives (what do you offer to help Utopian meet its Strategic Goals?)

B. Additional Expectations of Utopian

- i. It is expected that the Utopian Executive Director will be consistently and reasonably available to the selected Partner during the entire process for technical advisement and value analysis. Utopian anticipates the partner will meet weekly to facilitate the coordinated development of the projects from the time of agreement to the time of completion.
- ii. It is expected that prospective partners will hold appropriate and current state licensure to engage in the business of

construction, before, during, and for the period of at least three years after completion of the project.

iii. 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. Further:

1. Partner will establish with Utopian appropriate minority business subcontract goals and design a process to achieve same, and report on progress at each subsequent meeting (Utopian stands ready to assist with this request).
2. Partner will set and utilize local preference on other subcontract goals and design a process to achieve same, and report on progress at each subsequent meeting. (Utopian stands ready to assist with this request)
 - iv. It is expected that all construction partners be able to secure a bonding letter specific to the project stating they can bond this project up to \$ 2,000,000.
 - v. It is expected that the project will be completed as quickly as possible, in order, for the school to be able to open for the 2017 school year. In order, to ensure that the partner/contractor completes the work promptly, the contract will require the contractor pay liquidated damages if the project exceeds the time indicated in the contractors proposed a schedule.
 - vi. It is expected that all respondents have adequate financing to fund their business and construction obligations during this project. As such, Utopian will require the chosen partner to submit financial statements or other specific evidence of ability to finance prior to the sign-off on the agreement. (This information will be discussed by Utopian Governing Board only in a closed session and will be kept confidential to the extent of applicable law).
 - vii. It is expected that the winning partner will meet all requirements of a charter school in the State of Georgia and will comply with all building codes, statues, and rules governing charter school construction/renovation.
 - viii. It is expected that the winning Partner will coordinate with the Executive Director and Chair of the Finance Committee in the finalization of all appropriate approvals, and permits.
 - ix. It is expected that bidders will have knowledge of and comply with construction reporting requirements for public and charter schools in Georgia.
 - x. It is expected that the winning partner will provide Utopian's Executive Director with the necessary reporting information, including construction inspection reports to keep the Board of

Governors informed on a timely basis throughout the renovation process.

- xi. It is expected the winning partner will comply with all federal statutes and American Disabilities Act (ADA) regulations in association with design and construction of the charter school building.
 - xii. Utopian requests that the bidder documents their pay request process
 - xiii. It is expected the partner will comply with the requirements of the Georgia Procurement Codes
1. Documentation of subcontractor bid of any item over \$5,000
 2. Verification of bids provided to Utopian Academy Executive Director

C. Methodology used for Pricing this Proposal

- i. Fees charged to project by Owner/Management
- ii. Financing Possibilities

4. Proposal Submission Requirements

Listed below are the proposal submission items required for consideration to be selected by Utopian as the General Contractor for this project. Most specific submission requirements will be rated by Utopian and its professionals. Failure to provide any of the requested information will affect the rating the submission receives, and in the cases where minimum requirements are set forth, failure to submit the required information may disqualify a firm from further consideration. General criteria used to judge each submission item are described under evaluation criteria. Submitters are requested to respond directly and separately to each item. Utopian reserves the right to waive any requirement or criterion/criteria, at its sole discretion, for any or all firms who are being considered under this RFP.

A. General Introduction

Provide a simple, concise description of your company. Your company description should not be more than two typewritten pages. It may be supplemented by brochures. Your firm description should at a minimum identify the following:

- I. Legal business name, address, contact person name, phone number
- II. Number of years in business
- III. Brief overview of staff

B. General Firm Experience

Provide a brief description of at least three projects similar in size and complexity to the project described in this RFP that were completed by your firm in its overall capacity as a Charter School Development Corporation, within the last five years. Your descriptions of the three projects should each include:

- I. Functional use
- II. Gross square footage/brief description of the project
- III. Original contract value and final contract amount
- IV. Project owner's name, address and current phone number
- V. Approximate start and substantial completion dates
- VI. Project manager and superintendent

C. Successful Project Completion

If your firm has not completed any project during the last five years on or before the scheduled completion date, please provide the following information for each such project:

- I. Project name and owner
- II. Location of project
- III. Type of project
- IV. Dollar value of project
- V. Start date of the project.
- VI. Original Contract completion date.
- VII. Completion date.
- VIII. Narrative explaining in detail how your firm was able to mitigate the hardship created for the owner as a result of the late completion date.
- IX. Indication of whether liquidated damages were assessed and the details relating to the assessment of damages

If not already provided above, please indicate the number and dollar amounts of any and all delay claims, liens, or court or arbitration judgements for and against your firm within the last five years.

For all projects completed within the last five years, where applicable, please identify separately the circumstances surrounding any projects as to which bonuses were awarded to your firm or its contractors or which your firm received on account of early completion.

D. Bonding Capacity and Insurance

Please submit evidence from, or attested by, your bonding company or your general contractor that verifies that the submitter will have bonding capacity, assuming that if this project is awarded to the submitter, as cost not to exceed \$250,000 is added to your current and anticipated workload. One hundred percent (100%) Performance and Payment Bonds will be required if your firm is awarded the contract.

E. Financial Condition

Please provide certification that your firm and its general contractor is clear of any Federal, State or Local Tax Liens.

F. Qualification of Key Personal to be Assigned to Project

Please provide information concerning the key personnel listed below that you propose and intend to be responsible for this project. If more than one person is proposed to be responsible for this project, provide information on each.

- I. Project Manager—resume, description of relevant experience (list of projects of similar size, type and systems) references (with current phone numbers) outside your operations, to verify experience. Will this person be available on an uninterrupted basis through to the completion of the project?
- II. Project Superintendent—resume, description of relevant experience and references (with current phone numbers) outside of your operations, to verify experience. Will this person be available on an uninterrupted basis through the completion of the project?

Schedule Control

- I. Please describe in general your firm’s schedule management system.
- II. Please provide a sample of an update progress schedule by the proposed project manager/superintendent for a previous similar project that is one of the projects your described in B2 (General Firm Experience) above.

G. Safety Record

Has any citation been issued to or against your proposed general contractor or your firm during the last five years for workplace safety law violations? If yes, please provide detailed information for each such occurrence regarding: 1) the nature of the violation for which the firm was cited; 2) a summary of the position taken on the matter; and 3) a description of the official resolution or disposition of the asserted violation.

H. Current Workload/Capacity to Complete this Project

- I. Please provide us with a list of your firm’s current projects, the dollar volume by project, and the anticipated completion dates of all such current projects.
- II. If your firm’s current workload differs significantly (+/-25%) from any period over the last five years, please indicate the following of the largest amount of work that your firm is undertaking at any one time: 1) The total number of projects; 2) the total dollar amount of all projects; and 3) how the staffing/capacity of your organization has been adjusted to handle such change in workload.
- III. Please provide us with an estimate of your anticipated largest dollar volume of work in process if this project is added to your current and anticipated volume.

I. Key Financing Concepts for Decision Making

Please explain in summary how your firm makes its decision about which project it shall undertake. Please use the following high level concerns and others that you may provide for your expression.

- i. Project Costs and Annual Cost
1. How much do we have to borrow to pay for a \$100 door?
- ii. Cash flow vs Collateral
- iii. Debt Service Coverage
- iv. Reserves
- v. Headcounts and projections

J. Project Management

Please describe your proposed project management system for this project. Please include as a minimum, a description of the following topics:

- i. General organization and responsibilities
- ii. Staffing roles and commitment of key personnel
- iii. Resources including a description of trades provided internally by your organization
- iv. Plan for management and control of subcontractors
- v. Reporting systems to owner
- vi. General communications systems
- vii. Actual progress tracking system
- viii. System for resolving issues and problems
- ix. Change order management
- x. Cost control and tracking system
- xi. Quality control system
- xii. Project closeout procedures
 1. Warranty and Liens
 2. Punch-list Completion
- xiii. Approach to Design Management
- xiv. Approach to Site Assessment
 1. Zoning and Permitting
 2. Environmental
- xv. Preconstruction Design Approach
 1. A/E Contractor Selection (local preference)
 2. Maintaining Budget Control
- xvi. Construction
 1. Budget Control
 2. Status Reporting

K. Proposed Construction Schedule

This project is time sensitive and will require the construction to be completed a reasonable time frame. Proposals must include a proposed construction schedule which

the contractor will be willing to agree to complete the project by or risk incurring liquidated damages.

5. RFP Conditions

A. Process

The firm submitting a proposal in response to this RFP will be evaluated by Utopian Academy, both regarding general qualifications and also to the specific terms of their proposals. The evaluation will be based on the information provided in the firm's submission as well as any other information Utopian obtains concerning the firm's past performance. Interviews may be required to assist Utopian in its evaluation. Utopian reserves the right to interview one or more firms responding to this RFP but there can be no assurance that any firm will be selected to be interviewed. Utopian may determine to interview one or more firms, or no firms, in its sole discretion. Utopian may choose to use any information available to it make its determination under this RFP, including the selection of the firm to which an award is made. Firms which have submitted incomplete proposals or information may be provided an opportunity to correct any deficiencies, but Utopian will be under no obligation whatsoever to provide such opportunity. Utopian may notify such submitter to consider the proposal from such applicant. Submissions that are incomplete, or that omits or materially misrepresent any portion of the requested information, may be excluded from consideration in the sole discretion of Utopian.

B. Evaluation Criteria

Evaluation criteria for this RFP include the following:

- I. General experience and competence
- II. Past performance with regards to schedules, cost control, quality, and responsiveness to owners
- III. Compatibility of firm's size, location, personnel, and experience
- IV. The firm's quality management delivery system for successful completion of this project at a high level of quality
- V. Safety record of the firm
- VI. The firm's financial status
- VII. The current workload/capacity of the firm to complete this project
- VIII. Construction schedule
- IX. The support or the Utopian Strategic Plan
- X. Such other evaluation criteria as Utopian may determine

C. Submission of Proposals

In order to be evaluated, firms responding to this RFP are requested to submit an electronic copy proposal by e-mail to:

Contact Name: Artesius Miller
Website: www.utopianacademyforthearts.com
Email: Artesius.miller@utopianacademy.com

All questions should be submitted through a formal RFI and sent to the contact email.

D. Acceptance of Proposal

- I. Bids will be reviewed at a work session meeting of the Utopian Board of Governors after the due date and time with the name of the bidder announced and recorded in the meeting minutes
- II. Bids will be awarded to the firm whose proposal is determined to be most advantageous to the Utopian Academy for the Arts after consideration of all criteria
- III. The winning submitter will receive the award in writing
- IV. The Utopian Academy reserves the right to reject any and all proposals or waive any formality or technicality in the best interest of the Charter School.
- V. Utopian shall immediately be prepared to submit any and all information important to the decision-making process of the submitter.

E. Proposal Revision

Proposal revisions must be received before the RFP submission closing date and time.

F. Disclosure

All proposals and other information submitted in response to this RFP will be kept strictly confidential and will not be released or used by Utopian for any other purpose, except as may be required by law. All proposals and accompanying materials submitted in response to this RFP will be retained by Utopian and will not be returned, other than financial statements that may be returned to proposing firms as described above.

One Page Strategic Plan 2016-2021

Educational Priorities with Our Vision of Tomorrow

Year-Round School	Family Engagement	Arts & Single Gender	Personalized Learning
Parent Incentives	Transportation	Utopian Marketing	Creative Staff

5 Year OVERALL STRATEGIC DEVELOPMENT GOALS

Strive for Excellence	Performance Framework Accomplishment	Strong Stakeholder/Parent Relationships	Staff Development	Community Economic Development
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2017 Action Goals (TO BE Accomplished within School Calendar)

(1) SECURE PERMANENT LOCATION (2) BEGIN RESEARCH ON UTOPIAN HS	EXCEED STATE AND LOCAL ACHIEVEMENT STANDARDS	250 ACTIVELY PARENTS ENGAGED WITH UTOPIAN	DEVELOP & INSTALL PERFORMANCE-BASED STEP INCREASE	5% PARTNERSHIP GROWTH
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Stakeholder Value Proposition (What Stakeholders EXPECT from Us)

No Student Failure	Classroom Size	Contribute to College and Job Readiness	Exceeding CCPRI/GOSA Score Standards
Quality Instruction Staff	Tests and Grades	Youth Entrepreneurship	Quality Education

Things That MUST Be Done in Excellent Fashion Daily (Day-in Day-out Operations)

Carry out V/M/V	High Quality Products Offerings	Annual Strategic Objectives	Workforce and Leader Development	Achieving Performance Projections
Open Communication	Organizational Governance	Customer Satisfaction Metrics	Strong Customer Relationships	Active Customer Listening

Initiatives REQUIRED to Make Plan Happen (Must be Financially Supported)

<p><u>STRATEGIC COMPETENCIES</u></p> <ul style="list-style-type: none"> QUALIFIED PASSIONATE TEACHERS EFFECTIVE USE OF AVAILABLE FUNDS 	<p><u>SCHOOL CULTURE</u></p> <ul style="list-style-type: none"> DEVELOP CULTURE OF HIGH EXPECTATION COMMITMENT TO EXCELLENCE FACILITIES THAT ENCOURAGE LEARNING 	<p><u>CLIMATE FOR ACTION</u></p> <ul style="list-style-type: none"> FULLY TECHNOLOGY SUPPORTED SAFE CLEAN ENVIRONMENT ADEQUATE RESOURCES
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Challenge Hurdles to be Addressed

Organizational Governance	Societal Responsibilities	Consistent Strategy Development	Customer Relationships	Workforce and Leader Development
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