



Request for Proposals Construction Management (CM) Services

Proposals due No later than
3 p.m. on Thursday, May 29, 2025

Please send two (2) hard copies of your proposal to:

Middleburgh Central School District
Attn: Robyn Bhend, School Business Administrator
CM Services RFP – DO NOT OPEN
P.O. Box 606, 291 Main Street
Middleburgh, NY 12122

www.middleburghcsd.org
(518) 827-3623 ext. 3623

Request for Proposals - Construction Management (CM) Services

The Middleburgh Central School District invites construction management firms to submit proposals to perform construction management services for an upcoming capital project.

The tentative scope of work for this project will be based on the items identified on page six (6) in this proposal. The cost of the project is set to be for eight million, one hundred thousand (\$8,100,000) dollars. The District plans to hold a referendum vote in May 2025 with an anticipated project start date of Summer 2026.

The minimum qualifications that will be considered by the Owner as a basis for selection of a construction manager are as follows:

1. Responding firms must have a minimum of five (5) years' experience providing professional construction management services as described in the Request for Proposals (RFP).
2. Firm's experience as a construction manager should include at least five (5) projects in New York valued at or over five million (\$5,000,000) each.

Only firms that meet or exceed the above minimum selection criteria set forth by the Middleburgh Central School District (referred as the "OWNER") will be seriously considered. The selected CM firm shall not bid or perform any of the trade construction work.

CM SERVICES OUTLINE

For contract purposes, the Owner anticipates using the AIA Document C132 - 2009 contract for construction management services. This document is to be used as a guide for defining services to be provided by the Construction Manager. All work on this project must be done in accordance with the New York State Municipal law.

The following is an outline of those services – it is not meant to be all-inclusive.

Preconstruction Phase

- Document review
- Estimate preparation
- Community outreach
- Master scheduling
- Value engineering
- Cash flow analysis
- Assimilation of BCS and construction plans
- Construction logistics planning
- Phased construction planning
- Procurement

Bidding Phase

- Schedule and conduct pre-bid meetings
- Assist the school district in the receipt of bids
(i.e., tabulate bids received; review bids for completeness, accuracy, and review with Architect/Engineer)
- Prepare letter of recommendation for each Prime Contract
- Assist the District in preparing contracts
- Assure conformance of insurance certificates and bonds with District
- Prepare "Notices of Award" and "Notices to Proceed" letters for the District
- Notify Unsuccessful bidders

Construction Phase

- Provide full-time field coordination
- Manage all construction contractors in the field
- Cost estimating and cost containment
- Construction scheduling
- Manage shop drawing and submittal process
- Conduct all progress meetings, including taking and distribution of all meeting notes
- Maintain daily log of all significant events, visitors, and occurrences at the jobsite, maintain record drawings, photographs, etc.
- Prepare monthly status reports to the Owner
- Review of all proposed Payment Requests and Change Orders
- Ensure all punch-list items are completed to the satisfaction of the Owner
- Review the safety programs of the trade contractors
- Track and review permits and approvals
- Minimize disruptions to school activities
- Coordinate the Owner’s occupancy requirements
- Coordinate and submit all close out documentation

PROPOSAL REQUIREMENTS

The respondent’s proposal shall include the following:

- a. Title page showing the proposal is for construction management services; the firm’s name, name, address and telephone number of a contact person, and the date of the proposal.
- b. Table of Contents
- c. Information described in the Proposal Format Section as outlined below, including the required forms.

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PROPOSAL FORMAT

1. *Company Profile*

This section should state the size of the firm, the type of firm, firm background, the location of the office from which the work on this project is to be performed and requested information outlines above.

2. *Experience*

The proposal should include details of experience with projects of similar size and complexity to the project described in this RFP. Please include those projects where your firm was the construction manager of record.

- a. List your firm’s experience with new/addition projects. Include Owner’s name; contact’s name, title and phone number; a brief description; contract amount; and completion date. Please limit experience to last seven years.

- b. List your firm's experience with renovation projects. Include Owner's name; contact's name, title and phone number; a brief description; contract amount; and completion date. Please limit experience to last seven years.
- c. List your firm's current CM projects including District names, contract amounts and completion dates.

3. *References*

A list of references (minimum of 3 references) who may be contacted should be included in the proposal. This list should include past and present clients where your firm was the Construction Manager of record.

4. *Specific Project Approach*

Please provide details regarding your prerespond, preconstruction and construction phase services and the approach your firm would use to achieve the owner's objectives.

5. *Proposed Staff*

Indicate the proposed team organization and identify key personnel including the project manager and field superintendent. Please include resumes for all key staff, outlining their roles on similar projects.

6. *Fee Structure*

Submit a proposed fee structure based on a percentage of construction cost, structure for change orders as well as alternate additions and deletions and anything associated with unforeseen time delays. Include the amount that you are able to provide gratis prior to successful referendum vote. In addition, please list any services that will be provided by outside firms and/or provide a description of any other additional services anticipated but not described in this Request of Proposal.

7. *Required Forms*

Submit the following signed forms with the proposal:

- Non-Collusive Certification – see page 7
- Hold Harmless Agreement – see page 8
- Iran Divestment Act – see page 9

TERMS AND CONDITIONS

- 1. The project outlined in this proposal shall be awarded by the Owner.
- 2. The Owner is not liable for costs incurred in the preparation of this proposal and any other subsequent proposals or presentations.
- 3. The contents of the successful firm's proposal of fees associated after contract execution may become part of the contractual obligations if deemed appropriate by the Owner.
- 4. The Owner may require an interview for candidates. The Owner reserves the right to accept or reject any proposal (in part or in whole) when it is considered to be in the best interest of the Owner. Proposals submitted become the property of the Owner.
- 5. The successful Construction Manager shall not discriminate against any individual in accordance with applicable federal, state or local laws.

6. The contracts entered into as a result of this Request for Proposal, shall be between the selected firm and Owner.
7. Any exceptions to this RFP need to be documented and submitted with RFP. The Owner reserves the right to approve or reject the exceptions.
8. The Board reserves the right to reject any and all proposals submitted. The District intends to select the firm(s) that, in its opinion, best meets the District's needs.

SELECTION CRITERIA

The selected Construction Manager will have experience in similar facilities and be available to complete the project in a timely manner. Key personnel being proposed must have similar knowledge and experience. The selected firm and proposed personnel should be especially knowledgeable and experienced in:

- Managing construction of projects in the State of New York
- Management construction of projects of similar size and building type
- Estimate of public construction costs and cost of renovations
- Successful control of project costs on past projects
- Successful maintenance of schedules and avoidance of delays on past projects
- Working with Boards, committees, staff and the public in a cooperative, harmonious and responsive manner.

PROPOSAL DUE DATE

Proposals are due at the District Office no later than 3 p.m. on **May 29th 2025**.

Proposals that are emailed or faxed will NOT be accepted.

All proposals will be opened at 3:01 p.m. at the District on this day. Bidders are responsible for submitting their proposals to the appropriate location at or prior to the time indicated. No proposals will be accepted after the designated time or date indicated in the proposal. Any proposals received after this deadline will be returned unopened to the firm. Delay in mail delivery is not an exception to the receipt of a proposal.

Bidders are welcome to attend the opening. No decisions to reject or award will be made at the bid opening.

The tentative date to appoint a Construction Management firm is at the June Board of Education meeting on June 11, 2025. The Board of Education reserves the right to reject or award any or all bid(s).

CONTACT INFORMATION

Any questions or concerns you may have can be directed in writing to Robyn Bhend, School Business Administrator and can be reached via email at robyn.bhend@mcsdny.org. Please allow a 24-hour response time. Any substantive requests for information that are received and responded to by the District will be provided to perspective bidders in the form of an addendum.

PROJECT DESCRIPTION

Alterations and renovations, including:

Middleburgh Junior/Senior High School – 291 Main Street, Middleburgh, NY 12122

Address outstanding items which remain from the previous capital project. Renovate the auditorium to modernize facilities and enhance community access.

- Gym Columns
- Main Entry – ADA accessible ramp to side entrance
- Column Repair – install control joints at each column (18 locations)
- Roof Drain replacement
- Yankee Gutter relining at rear of building
- Replace 2001 Windows
- Replace Stage Windows
- Replace Attic Windows
- Auditorium Lighting upgrades with associated abatement
- Balcony seating
- ADA compliance of Cafeteria bathrooms

Middleburgh Elementary School – 245 Main Street, Middleburgh, NY 12122

Focus on high-priority upgrades with visible impact, including a new playground and indoor bleachers.

- Expend the Bassett School-Based Healthcare space
- Replace bleachers in the Gymnasium
- New playground at the former Little League field (behind ES)

Middleburgh Bus Garage – 164 Main Street, Middleburgh, NY 12122

To resolve issues (i.e., bus life and drainage problems) and prepare infrastructure for the transition to zero-emission vehicles.

- Parking Lot – new paving
- Storm Water Drainage
- Floor Sealer (new)
- Bus Lifts (2)
- Conduit installation

Project Architect: SEI Design Group, 2 Winners Circle, Albany, NY 12205 (518) 435-2467

Project Schedule

Referendum Vote	May 20, 2025
Architects prepare Detailed Plans	May-October 2025
Plans submitted to NYS State Education Department (District plans to expedite project review)	November 2025
District receives NYS State Education Department approval	January 2026
District Bids Project	February 2026
Bids awarded by the Middleburgh Board of Education	April 2026
Construction begins	June 2026

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NON-COLLUSIVE CERTIFICATION

BY SUBMISSION OF THIS BID PROPOSAL, THE BIDDER CERTIFIES THAT:

- A)** This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;
- B)** This bid or proposal has not been knowingly disclosed, prior to the opening of bids or proposals for this project, to any other bidder, competitor or potential competitor;
- C)** No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a bid proposal;
- D)** The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing on their behalf.

DATE

SIGNATURE OF BIDDER

PHONE

ADDRESS

**Middleburgh Central School District
P.O. Box 606, 291 Main Street
Middleburgh, NY 12122**

HOLD HARMLESS AGREEMENT

It is hereby agreed and understood that the Contractor agrees to hold harmless and indemnify Middleburgh Central School District, Middleburgh Central School District Board of Education, or any officer, agent, servant, or employee of the Middleburgh Central School District from any lawsuit, action, proceeding liability, judgment, claim or demand which may arise out of:

- A.** Any injury to person or property sustained by the Contractor, its agents, servants or employees or by any person, firm, or corporation employed directly or indirectly by them upon or in connection with their performance under the contract, however caused;
- B.** Any injury to person or property sustained by any person, firm, or corporation, caused by any act, default, error or omission of the Contractor, its agents, servants, or employees or any person, firm or corporation, directly or indirectly employed by them upon or in connection with performance under the contract.

The assumption of indemnity, liability and loss hereunder shall survive Contractor's completion of service or other performance hereunder and any termination of this contract.

The contractor at its own expense and risk shall defend any legal proceedings that may be brought against the Middleburgh Central School District, Middleburgh Central School District Board of Education, or any officer, agent, servant, or employee of the Middleburgh Central School District on any claim or demand, and shall satisfy any judgment that may be rendered against the Middleburgh Central School District, Middleburgh Central School District Board of Education, or any officer, agent, servant, or employee of the Middleburgh Central School District.

This Indemnification, Defense and Hold Harmless Agreement shall apply to any lawsuit, action, proceeding, liability, judgment, claim or demand, of whatever name or nature, notwithstanding that Dealer may deem the same to be frivolous or without merit. It is intended that this Agreement be interpreted in the broadest manner possible so as to insulate all of the entities, parties and individuals named above from any liability, cost or judgment, monetary or otherwise, as the same may relate to the personnel and services provided by the Dealer.

Organization Name: _____

Name of Person signing form: _____

Signature: _____

Date: _____

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IRAN DIVESTMENT ACT

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that it is not on the "Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2013" list ("Prohibited Entities List") posted on the OGS website at:

<http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>

and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additionally, Bidder/Contractor is advised that should it seek to renew or extend a Contract awarded in response to the solicitation, it must provide the same certification at the time the Contract is renewed or extended.

During the term of the Contract, should Middleburgh Central School District receive information that a person (as defined in State Finance Law § 165-a) is in violation of the above-referenced certifications, Middleburgh Central School District will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then Middleburgh Central School District shall take such action as may be appropriate and provided for by law or contract, including, but not limited to, seeking compliance, recovering damages, or declaring the Contractor in default.

Middleburgh Central School District reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

Organization Name: _____

Name of Person signing form: _____

Signature: _____ Date: _____