



**ASHLAND SCHOOL DISTRICT**  
**REQUEST FOR PROPOSALS**  
**CONSTRUCTION MANAGER|GENERAL CONTRACTOR**

Ashland School District  
885 Siskiyou Boulevard  
Ashland, OR 97520  
September 25, 2024



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SEISMIC REHABILITATION PROJECT  
CONSTRUCTION MANAGER|GENERAL CONTRACTOR  
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**REQUEST FOR PROPOSAL**

**for**

**ASHLAND SCHOOL DISTRICT**

**ASHLAND HIGH SCHOOL**

**SCIENCE BUILDING SEISMIC REHABILITATION PROJECT**

TO: Prospective Construction Managers|General Contractors

SUBJECT: Request for Proposal (“RFP”)

ISSUE DATE: September 25, 2024

ISSUED BY: (“the Owner”)

CONTACT FOR RFP: Josh Whitaker, Project Manager (Owner’s Project Manager)  
HMK Company  
[josh.whitaker@hmkco.org](mailto:josh.whitaker@hmkco.org)  
Phone: (541) 601-3638

REQUEST FOR PROPOSALS DUE: October 24, 2024  
2:00 PM Local Time  
Ashland School District  
C/O HMK Company  
Attn: Josh Whitaker, Project Manager  
46 N Front Street, Suite 201  
Medford, OR 97501



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**I. INTRODUCTION**

**A. REQUEST FOR PROPOSAL**

REQUEST FOR PROPOSAL  
CONSTRUCTION MANAGER|GENERAL CONTRACTOR  
**ASHLAND SCHOOL DISTRICT**  
**ASHLAND HIGH SCHOOL**  
**SCIENCE BUILDING SEISMIC REHABILITATION PROJECT**  
**(“the Project”)**

**Date of Issuance:** September 25, 2024

**Closing Time and Date:** October 24, 2024  
2:00 PM Local Time  
Ashland School District  
C/O HMK Company  
Attn: Josh Whitaker, Project Manager  
46 N Front Street, Suite 201  
Medford, OR 97501



**B. REQUEST FOR PROPOSAL ADVERTISEMENT**

**ASHLAND SCHOOL DISTRICT  
ASHLAND HIGH SCHOOL  
SCIENCE BUILDING SEISMIC REHABILITATION PROJECT  
Proposals Due 2:00 PM, October 24, 2024  
REQUEST FOR PROPOSAL**

**NOTICE IS HEREBY GIVEN:** The Ashland School District (“the Owner”) Requests Proposals from experienced Construction Manager|General Contractors (CM|GC) for the construction of the Ashland High School Science Building Seismic Rehabilitation Project. Proposers shall provide five (5) paper copies and one (1) electronic copy of their proposal on a flash drive in a sealed envelope. Proposals will be accepted by Josh Whitaker, Project Manager, HMK Company, at the HMK Company Medford Office, located at 46 N Front Street, Suite 201, Medford, OR 97501, until **2:00 PM Local Time on October 24, 2024** after which time no further Proposals will be received.

A **MANDATORY** Pre-Proposal Meeting will be held on **October 2, 2024 at 3:00 PM** at the **Ashland High School** located at **201 S Mountain Avenue, Ashland, OR 97520 (meet at the Science Building, enter off of Morse Avenue)**. **ATTENDEES MUST BE SIGNED IN AND PRESENT AT THE PRE-PROPOSAL MEETING BY 3:00 PM TO BE CONSIDERED A POTENTIAL CM|GC. NO EXCEPTION WILL BE MADE.**

**Project Scope of Work:** The project consists of comprehensive seismic improvements to the Science Building at Ashland High School, funded by a Seismic Rehabilitation Grant.

The complete Request for Proposal may be reviewed and obtained from <http://hmkco.org/bid-documents/>.

The CM|GC firms responding to this RFP will be evaluated based upon company overview, firm experience, similar project history, and other criteria identified in this RFP.

This solicitation does not obligate the Owner to pay any costs incurred in preparation of Proposals. The Owner reserves the right to reject any Proposal that is not in compliance with all prescribed requirements. For good cause, the Owner may reject any or all Proposals upon a written finding that it is in the public interest to do so.

**ANY PROTEST OR REQUEST FOR CHANGE MUST BE DELIVERED IN WRITING** to Mike Freeman, Regional Director, HMK Company, at 46 N Front Street, Suite 201, Medford, OR 97501, **ON OR BEFORE SEVEN (7) CALENDAR DAYS PRIOR TO THE DUE DATE FOR PROPOSALS.**

Dated this 25<sup>th</sup> day of September, 2024

Josh Whitaker, Project Manager  
HMK Company, on behalf of  
Ashland School District



### **C. OVERVIEW OF PROPOSAL**

The Owner has published the notice of the RFP in the Oregon “Daily Journal of Commerce” (DJC).

If, after receiving the RFP, you have inquiries, please contact Josh Whitaker, Project Manager, at [josh.whitaker@hmkco.org](mailto:josh.whitaker@hmkco.org).

Proposals are due by **2:00 PM Local Time on October 24, 2024**. Proposals received after the specified time will not be considered.

This solicitation does not obligate the Owner to pay any costs incurred in preparation of Proposals. The Owner reserves the right to reject any Proposal that is not in compliance with all prescribed requirements. For good cause, the Owner may reject any or all Proposals upon a written finding that it is in the public interest to do so.

### **D. PROJECT OVERVIEW**

The project consists of comprehensive seismic improvements to the Science Building at Ashland High School, funded by a Seismic Rehabilitation Grant.

## **II. SELECTION PROCESS**

### **A. SELECTION OVERVIEW**

The Owner is seeking a qualified Construction Manager|General Contractor (the CM|GC) with current relevant experience in the construction of school buildings.

In accordance with Oregon Administrative Rules 137-049-0620 and 137-049-0645, the Owner will use a “Construction Manager|General Contractor” (CM|GC) Request for Proposal (RFP) to select and enter into a contract with the CM|GC. In accordance with those rules and ORS 279C.335, the Owner has obtained an exemption from applicable competitive bidding requirements (Exemption Order dated June 10, 2019).

The District has established the CM|GC RFP approach through the exemption process and by filing Findings supporting the use of this approach. The RFP approach was established in lieu of the more traditional Design-Bid-Build and the corresponding Invitation to Bid (ITB) in order to realize the maximum benefit by including the CM|GC during the design phase. The basis for the RFP approach is addressed in greater detail in the Exemption Order mentioned above.

The selection process under this RFP will be conducted in a fair and impartial manner, whereby several qualified individuals will evaluate all responsive Proposals.

The selection pursuant to the RFP will have three (3) major parts:



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1. Evaluation of Qualifications;
2. Proposal evaluation and initial ranking;
3. Interviews (if deemed applicable), reference checks, final ranking and selection;

The Owner will review all Proposals to ensure that each Proposer meets the minimum qualifications required.

The Owner will convene an evaluation committee made up of three to five qualified members, representing the Owner, Stakeholders or the general public to evaluate all Proposals.

**B. SELECTION PROCESS SCHEDULE**

- |    |                                |                    |
|----|--------------------------------|--------------------|
| 1. | Request for Proposals Issued   | September 25, 2024 |
| 2. | Mandatory Pre-Proposal Meeting | October 2, 2024    |

A MANDATORY Pre-Proposal Meeting and Project Orientation will be held at 3:00 PM on October 2, 2024, at the **Ashland High School located at 201 S Mountain Avenue, Ashland, OR 97520 (meet at the Science Building, enter off of Morse Avenue)**. Attendees will then visit the project site. Statements made at the Pre-Proposal Meeting will not be binding on the District unless confirmed by written addenda. Potential CM|GCs may obtain additional information about the project and overall District goals at this time. **ATTENDEES MUST BE SIGNED IN AND PRESENT AT THE PRE-PROPOSAL MEETING BY 3:00 PM TO BE CONSIDERED A POTENTIAL CM|GC. NO EXCEPTION WILL BE MADE.**

- |    |                                      |                  |
|----|--------------------------------------|------------------|
| 3. | Deadline, Request for Clarifications | October 17, 2024 |
|----|--------------------------------------|------------------|

Inquiries for clarification or additional information, if any, must be received by 2:00 PM.

- |    |                                  |                  |
|----|----------------------------------|------------------|
| 4. | Solicitation Protest Period Ends | October 17, 2024 |
|----|----------------------------------|------------------|

Protests to the RFP, the Contract or any aspect of the selection process as set out in Section II must be received by Mike Freeman, Regional Director, at HMK Company by 2:00 PM.

- |    |                             |                  |
|----|-----------------------------|------------------|
| 5. | Proposals Response Due Date | October 24, 2024 |
|----|-----------------------------|------------------|

Responses must be received by the District no later than 2:00 PM. Responses submitted after this time will be subject to rejection.

- |    |                              |                  |
|----|------------------------------|------------------|
| 6. | Review Responses by District | October 30, 2024 |
|----|------------------------------|------------------|



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7. Notify Firms Selected for Interviews 5:00 PM, November 1, 2024

8. Interviews November 5, 2024

Firms shall be available for possible interviews (at the District's sole discretion) on November 5, 2024, no other dates will be held.

9. Notification of Selected CM|GC November 6, 2024

CM|GC will be selected, if at all and sent a selection notice. The unsuccessful CM|GCs will be sent a copy of the selection notice.

10. Selection Protest Period Ends November 13, 2024

Any protests of the selection decision must be received seven (7) calendar days after CM|GC selection by District. Any hearing on a protest will be scheduled as soon as reasonably possible.

11. Board Action to Award Contract November 14, 2024

12. Contracts Issued November 15, 2024

13. Contracts Executed No Later Than November 22, 2024

The District intends to enter into a Contract with the selected CM|GC within seven (7) calendar days of award.

14. Design September 2024 – January 2025

15. Construction June 2025 – August 2025

The schedule of events in this Section is intended to allow Potential CM|GCs sufficient time for requests for information, objections to the requirements of this RFP, and preparation of responses. Potential CM|GCs who think that the schedule is unreasonable should notify the District immediately. If the District receives a substantial number of adverse comments, the District will consider extending the schedule of events by issuing an addendum.

### III. SERVICES TO BE PROVIDED

#### A. DESCRIPTION OF SERVICES

##### 1. PRECONSTRUCTION PHASE SERVICES

Preconstruction Phase Services will be provided under the terms of the Contract, as it may be modified by Supplemental General Conditions or Amendment, and will be paid for on a cost-reimbursement basis up to the





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maximum not-to-exceed amount set in the Contract. Preconstruction Phase Services are anticipated to include the following:

- a. Furnish cost estimates to the Owner for review and approval at 100% schematic design, 100% design development, and 50% construction documents.
- b. Conduct thorough constructability review of the construction documents.
- c. Develop and implement a plan to actively generate interest from local sub-contractors and material suppliers as well as solicitation of bids.
- d. Submit a Guaranteed Maximum Price (GMP) proposal and GMP Supporting Documents to the Owner in conformance with Contract requirements.
- e. Upon Owner authorization (and execution of an Early Work Amendment and issuance of a Notice to Proceed for the Early Work), undertake early material procurement, site preparation and advance construction Work, including investigative demolition.

**2. SCOPE OF CONSTRUCTION PHASE SERVICES**

It is anticipated that the GMP will be established at approximately 100% completion of the Construction Documents. The established GMP will be the maximum amount paid for Construction Phase Services, unless scope changes are requested by Owner. Acceptance of the GMP by execution of the GMP Amendment will mark the beginning of the Construction Phase Services for the Project. At the time of execution of the GMP Amendment, the CM|GC will be required to submit a performance bond and payment bond for the completion of the Project in the full amount of the GMP. In the event that the CM|GC is unable to furnish an acceptable GMP, the Owner retains the option, in its sole discretion, to cancel the Contract and start a new process for the construction of the Project, or terminate the Contract and award a replacement contract to the next highest rated Proposer from this solicitation.

In general, Construction Phase Services provided by the CM|GC are to include the following:

- a. Provide and pay for all materials, tools, equipment, labor, and professional and non-professional services, and perform all other acts and supply all other items necessary to fully and properly perform and complete the Work as described in the Contract Documents.



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- b. Solicit sealed bids or quotes from Subcontractors. Ensure that all bids, including those deemed necessary for early procurement, are within budget.
- c. Implement an accounting system for effective fiscal control, including monthly cost estimate and status report with budget recommendations. The cost of preparing the monthly status report to Owner is to be included in the CM|GC Fee.
- d. Coordinate the work of all special inspections, Subcontractors, and Vendors. Provide regular and on-going quality inspection and assistance to the Architect in assuring the Work meets the Contract requirements and applicable laws, codes, and ordinances.
- e. Review all Change Order requests, both within the GMP and involving a change to the GMP.
- f. Maintain all Project Records, including permits, construction documents, as-built records, meeting records, submittals, inspection reports, invoices, delivery receipts, daily activity logs, Request for Information (RFI), Architect Supplemental Instructions (ASI), Change Order (CO) etc.
- g. Meet established Project schedule deadlines.

**B. SPECIAL REQUIREMENTS**

In order to implement the RFP method of CM|GC selection, the Owner will impose some special requirements to ensure an adequate level of competition. Potential CM|GCs shall note the following requirements concerning management of this Project:

1. The selected CM|GC will be required to document good faith efforts to develop business opportunities for Minority Owned, Women Owned, and Emerging Small Business Enterprises, as required by ORS Chapter 200.
2. The selected CM|GC will be required to comply with the applicable Oregon prevailing wage rates.
3. The selected CM|GC will be required to document good faith efforts to include participation of subcontractors and suppliers in bidding process within the Rogue Valley.

**IV. REQUIREMENTS FOR PROPOSALS**

**A. SUBMITTAL REQUIREMENTS**

- 1. DATE, LOCATION, AND DELIVERY METHOD**



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- a. Interested CM|GCs must submit their Proposals no later than **2:00 PM Local Time** on October 24, 2024. Any Proposal received after 2:00 PM shall be considered late and rejected.
- b. Proposals shall be addressed to:  
  
Ashland School District  
C/O HMK Company  
Attn: Josh Whitaker, HMK Company, Project Manager  
46 N Front Street, Suite 201  
Medford, OR 97501
- c. Proposals must be mailed or delivered to the address above. **NO FAX OR E-MAIL TRANSMITTED PROPOSALS WILL BE ACCEPTED.**

## 2. FORM OF PROPOSAL

A Proposer's submitted proposal:

- a. Shall include five (5) paper copies and one (1) electronic copy on a flash drive in a sealed envelope.
- b. Shall be tabulated in separate sections with separator pages in relation to the detailed response requirements set forth in Section IV.D of this RFP. Any additional information deemed appropriate should be submitted as a separate document on the same flash drive.
- c. Shall be in PDF format, 8 1/2" x 11" paper size, with font type no smaller than 11-point.
- d. Shall be limited to 30 pages of content (i.e. 30 single-sided pages or 15 double-sided pages). Total page count includes the cover letter, but NOT front and back cover, section dividers provided they do not convey information requested in the RFP, the résumés or other forms and attachments required to be submitted.
- e. Shall be submitted in the following order and structure:
  - 1. Cover Letter (counts as number of pages submitted)
  - 2. Proposal Response (counts as number of pages submitted)
  - 3. Résumés (not counted in number of pages submitted)
  - 4. Completed Attachments (not counted in number of pages submitted)



### 3. BONDING CAPACITY

Each potential CM|GC must be capable of providing a 100% performance bond and 100% payment bond for the Project in the full amount of the Contract.

### B. PUBLIC RECORDS

1. This RFP and one (1) copy of each Proposal, together with copies of all documents pertaining to the award of a Contract, shall be kept by the Owner and made a part of a file or record, which shall be open to public inspection. **If a Proposal contains any information that is considered a Trade Secret under ORS 192.345, each sheet of such information shall be marked with the following disclosure in bold, red text:**

**"This information constitutes a trade secret under ORS 192.345 and shall not be disclosed except in accordance with the Oregon Public Records Law, ORS Chapter 192."**

**Such identification is for Owner's information and is not itself binding on the Owner. In all instances, Owner will make the final decision as to what information must be disclosed under a public records request or otherwise.**

2. The Oregon Public Records Law exempts from disclosure only bona fide trade secrets, and the exemption from disclosure applies only "unless the public interest requires disclosure in the particular instance", ORS 192.345. Therefore, nondisclosure of documents or any portion of a document submitted as part of a Proposal may depend upon official or judicial determinations made pursuant to the Public Records Law.
3. The above restriction may not include fee schedule or price information, which shall be open to public inspection.
4. Identifying the Proposal in total as a trade secret is not acceptable. Failure to identify a portion of the Proposal as a trade secret shall be deemed a waiver of any future claim of that information as a trade secret.

### C. THE DISTRICT IS AN EQUAL OPPORTUNITY EMPLOYER

The Owner is committed to achieving a workforce that represents the diversity of Oregon and being a leader in providing fair and equal employment opportunity for all interested applicants and employees.

### D. DETAILED RESPONSE REQUIREMENTS

**Proposals must reply to each of the following items. Responses must be in the same order listed below. Concise and direct answers are encouraged.**



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By listing individuals in the Proposal, the firm guarantees that these individuals will be available to work on the Project at the approximate percentages shown. The Owner reserves the right to approve or reject any changes to the proposed personnel. The Owner further reserves the right to request a substitution of personnel if deemed to be in the best interest of the Owner.

1. **Cover Letter**

2. **Company Overview:**

- a. Provide an overview of your company including years in business, office locations, and general work history answering the following questions:
- 1) How long has your organization been in business in Oregon as a CM|GC under your present business name and license number?
  - 2) Please confirm that you hold an Oregon Contractors License that is current, valid, and in good standing with the Oregon Construction Contractors Board (CCB). Has the license been suspended or revoked in the past fifteen years? If so, please explain.
  - 3) Have you, your responsible managing individual, or any partner, or officer or member ever been licensed in Oregon under a different name or license number? If yes, please list all the name(s) and license number(s).
  - 4) Is your organization connected with other organizations as a subsidiary, parent, holding or affiliate? If so, please explain.
  - 5) How many new and or renovated public school construction projects of at least \$3 Million dollars in hard construction cost has your organization completed in the past five (5) years? Please list all.
  - 6) Has your organization ever failed to enter into a contract after being selected for a new school construction or modernization project? If so, please explain.
  - 7) Has your organization ever failed to complete a new school construction or modernization contract in the past ten (10) years? If so, please explain.



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- 8) Has your organization ever failed to complete a contract in the past ten (10) years within the authorized contract time? If so, please explain.
- 9) Has your firm been assessed liquidated damages in the past ten (10) years? If so, please explain.
- 10) Has your organization ever been disqualified from submitting a proposal or a bid on a State of Oregon project, school district project, or other public work project? If so, please explain.
- 11) What is your current total bonding capacity? A letter from your bonding company may be required to verify bonding capacity.
- 12) What is your current available bonding capacity?
- 13) Has your organization been unable to obtain a bond or been denied a bond for a contract in the past ten (10) years? If so, please explain.
- 14) Has your organization ever defaulted on a contract forcing a surety to suffer a loss? If so, please explain.
- 15) Has your organization declared bankruptcy or been placed in receivership in the past ten (10) years? If so, please explain.
- 16) Has your organization received a Notice of Default, or Notice of Intent to Terminate on a public works project in the last ten (10) years? If so, please explain.
- 17) Has your organization's contract on a Public Works project been terminated or canceled by the public entity owner in the last ten (10) years? If so, please explain.
- 18) Is your organization currently involved in Dispute Resolution defined as Mediation, Arbitration or Litigation related to a construction project? If so, please explain.
- 19) Has your organization been involved in Dispute Resolution defined as Mediation, Arbitration or Litigation in the past ten (10) years related to a construction project? If so, please explain.



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- 20) Are there currently any liens/stop notices for labor and/or materials filed against your organization? If so, please explain.
- 21) How many liens, bond claim, or enforcement lawsuits against your organization have been lost or settled by the organization in the past ten (10) years? Please explain.
- 22) How many construction-related claims, complaints, and/or cross-complaints has your organization filed in court in the last ten (10) years? Please explain.
- 23) How many construction-related claims has your organization mediated or arbitrated in the last ten (10) years? Please explain.
- 24) In the past three (3) years, how many unresolved change orders resulted in a claim filed by your organization? Please explain.
- 25) Has any employee, individual, or entity filed a complaint in the past ten (10) years against your organization with the Oregon Construction Contractors Board (CCB)? If so, how many were filed and how were the complaints resolved?
- 26) Has there been any occasion during the last ten (10) years on which your firm was required to pay either back wages or penalties for your own firm's failure to comply with the federal or state prevailing wage laws? If so, please explain.
- 27) In the past three (3) years, has any action or administrative proceeding for back wages, penalties or other sanctions been filed against your organization for failure to pay state or federal prevailing wages or for failure to comply in any way with the state or federal prevailing wage laws? If so, please explain.
- 28) In the last five (5) years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm? If so, please explain.
- 29) Has your firm or any of its owners, officers, or partners ever been found liable in a civil suit, or found guilty in a criminal action, for making any false claim or material misrepresentation to any public agency or entity? If so, please explain.



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- 30) Has your firm or any of its owners, officers, or partners ever been convicted of a crime involving any federal, state, or local law related to construction? If so, please explain.
  - 31) Has your firm or any of its owners, officers, or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty? If so, please explain.
  - 32) During the last ten (10) years, has your firm ever been denied bond credit by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required? If so, please explain.
- b. In addition, please provide a description of your company's general construction experience.

3. **Similar Project History:**

- a. Provide a description of your company's recent experience in the construction of at least five (5) K-12 Building projects of like size and type within the past seven (7) years.
- b. Provide reference contact name, phone and email address for each listed project for both the Owner and Architect, as well as the date the project was completed.
  - 1) Please do not list the same owner more than once as a reference when possible.

4. **Safety:**

Provide a general description of your company's safety programs, as well as your most recent Workers Compensation Insurance experience modifier answering the following questions:

- a. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?
- b. List your firm's Experience Modification Rate (EMR) (Oregon workers' compensation insurance) for each of the past three (3) premium years:  
Current year: \_\_\_\_\_  
Previous year: \_\_\_\_\_  
Year prior to previous year: \_\_\_\_\_

5. **Firm Experience:**





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- a. Provide a listing, in chronological order, of your company's most recent completed projects within the last seven (7) years (of like size and type) of \$3 Million Dollars or more. Provide a list of at least five (5) projects. Information on these projects should include the following:
  - 1) Name of the owner, contact person, and **current phone number and email address**
  - 2) The Architect (Lead Design Professional), contact person, and **current phone number and email address**
  - 3) Location of the project and completion date
  - 4) A brief description of the job
  - 5) Amount of contract award or negotiated GMP (if applicable)
  - 6) Final contract amount and total amount of change orders
  - 7) Total project claims going to mediation/arbitration/litigation and their disposition
- b. Provide a listing, in chronological order, of your company's public construction contracts, regardless of amount.

6. **Staffing & Staff Qualifications:**

- a. Provide a Project organization chart showing your proposed staff for this Project, including project management, corporate oversight and administration, estimating and onsite construction supervision. Detail whether each person is an employee or sub-contractor.
- b. Include résumés for all individuals listed in the chart. Indicate the proposed percentage that each person will work on this Project during the Construction Phase. The résumés must include each individual's education, work history, length of tenure with the company, prior work experience with similar projects and any experience working with public sector projects.
- c. For those individuals who are not full-time, describe how and when they will work on the Project. Additionally, describe the prior experience, if any, of the team members working with each other on projects (please be specific) and what roles they will fill on the proposed team for this Project.



**7. Fees**

- a. State the total Construction Phase fee as a percentage of the cost of work for services described in the RFP.
- b. State your Payment and Performance Bond Rate as a percentage of the construction cost of work for services described in the RFP.
- c. State your Insurance Rate of the construction cost of work for services described in the RFP.
- d. State your Pre-Construction Services hourly rate. Note: Pre-Construction fees will be negotiated based upon an agreed scope of work.
- e. State whether you require Payment and Performance Bonds for sub-contractors. If so what is the added cost as a project percentage for these bonds.
  - 1) If you responded yes, provide data for the last three projects the added cost for the bonds.
  - 2) If you responded yes, provide explanation justifying the value for requiring sub-contractors to provide these bonds. What value or protection will the owner receive by any additional cost?
- f. State whether you require sub-contractor default insurance.
  - 1) If you responded yes, provide data for the added cost for this insurance from your last three projects.
  - 2) If you responded yes, provide explanation justifying the value for requiring this added insurance. What value of protection will the owner receive by any additional cost?

**8. General Conditions**

- a. Proposer's are required to complete a table indicating estimated General Condition Work costs associated with the CM|GC RFP and submit the completed table with their Proposal. These costs will be considered as part of the evaluation to select the apparent successful Proposal, and, when finally negotiated, will become part of the final contract with the selected CM|GC. The District reserves the right to negotiate the cost of individual items of General Condition Work. Included in Attachment H is a list of allowable General Conditions. Proposers should use this format when submitting their response.



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- b. Provide hourly rate for Senior Project Manager, Project Manager, Project Engineer, and Project Superintendent. Labor rate to include all burdens and mark ups.

**9. Other Services**

- a. Cost Estimating: Describe your process for cost estimating at each of the design phases. Provide an example of a construction document cost estimate for a similar project in scope and size.
- b. Value Engineering: Demonstrate a history of Value Engineering of K-12 School Projects. Explain your approach to the Value Engineering process as well as the analysis used when reviewing products and systems. Describe the difference between Value Engineering and Cost Cutting. Provide examples of Value Engineering reports provided for previous projects.
- c. Constructability Review: Demonstrate a history of Constructability / QA/QC practices during the Construction Document phase to enhance “biddability” and “buildability.” Describe and provide a copy of your Constructability Review process / program and detail how you integrate this process into the bidding phase of the Project. Identify staff or team members who will be assigned to assist with Constructability / QA/QC as a part of this Project. Provide résumés of staff and detail out their unique skill sets as it pertains to Constructability / QA/QC. Provide examples.
- d. Subcontractor and Supplier Outreach: Provide an outreach and solicitation plan for attracting qualified sub-contractors and material suppliers. Recognizing that the region is presently experiencing extreme market saturation, provide a plan that maximizes the number of subcontractors and suppliers that will submit bids to the Project.
- e. Provide an outreach and recruitment plan for inclusion of local sub-contractors and material suppliers, defined as within a 25-mile radius of the Rogue Valley.

**E. EVALUATION CRITERIA**

Potential CM|GCs not submitting all required information or documents in their Proposals may be considered non-responsive, and the Owner at its option may decide not to consider their Proposals. Each Proposal shall contain the desired information in the format specified.

Responsive Proposals will be evaluated in accordance with the following:

Reference numbers below are from Section IV - Requirements for Proposals,



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Subsection D - Detailed Response Requirements, which indicates the scope of each criterion. Points listed below are the total possible points which can be awarded for each criterion.

CRITERIA	POINTS	REFERENCE
1. Cover Letter .....	P/F	1
2. Company Overview .....	35	2 a & b
3. Similar Project History .....	15	3 a & b
4. Safety .....	10	4 a & b
5. Firm Experience .....	15	5 a & b
6. Staffing and Staff Qualifications .....	20	6 a - c
7. Fee .....	10	7 a - f
8. General Conditions .....	5	8 a & b
9. Other Services .....		9 a - e
a. Cost Estimating .....	10	
b. Value Engineering .....	10	
c. Constructability Review .....	10	
d. Subcontractor/Supplier Recruitment, general ..	5	
e. Subcontractor/Supplier Recruitment, local .....	5	

TOTAL POSSIBLE SCORE 150

**F. SELECTION**

Based on the evaluation criteria set forth. Proposals will be scored identifying the top CM|GCs that are most qualified for the Project. Interviews may be held with the top ranked firms. The number of firms to be interviewed will be at the sole discretion of the Selection Committee. The interview process may be used to supplement and clarify information contained in the proposal. The results of the interview may bear on the firm's final ranking.

The invited firms will be given notice as to the time and place of the interview. Interviews will be conducted on November 5, 2024. No alternate dates will be provided.

Should your firm be invited to interview, questions will be directed to the proposed key Project Staff. Those members invited to the interview are Project or Corporate



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Executive dedicated to the Project, the Project Manager, the Project Superintendent, and Project Estimator as well as the key individual responsible for preconstruction services shall be in attendance. The length and format for the interview will be provided to the short-listed firms.

**V. PROTEST PROCEDURE**

- A. All responses will become part of the public record for this Project, without liability to the District. The District reserves the right to reject any or all responses received as a result of this RFP and, if doing so would be in the public interest, cancel this solicitation. The District reserves the right to consider a response or responses in whole or in part, and to determine the responsiveness of a proposal by reference to the response taken as a whole. CM|GC Contractors will be held to the terms submitted in their responses.
1. A potential CM|GC may file a written protest or make a written request that the Owner change an RFP specification or term. **ANY PROTEST OR REQUEST FOR CHANGE MUST BE DELIVERED IN WRITING TO Mike Freeman, Regional Director, HMK Company, 46 N Front Street, Suite 201, Medford, OR 97501, ON OR BEFORE SEVEN (7) DAYS PRIOR TO THE DUE DATE FOR PROPOSALS.** The purpose of this protest/request for change procedure is to permit the Owner to correct, prior to the submission of Proposals, any specifications or terms that may be improvident, unlawful or which may unnecessarily restrict competition. This requirement is intended to eliminate, by permitting corrections prior to the submission of Proposals, the waste of resources and delay that may result from the untimely detection of errors in the RFP, possible protests, and possible rejection of Proposals. The Owner will consider each protest or request, amend the RFP accordingly if warranted, and will notify in writing each potential CM|GC of any change. No amendment of this RFP shall be effective unless made in writing.
- B. All potential CM|GCs that submit Proposals in response to this RFP will be notified in writing of the potential CM|GCs who are deemed most qualified. Any potential CM|GC that submitted a Proposal and is not deemed most qualified may submit to the Owner a written protest of the Owner's decision to exclude the potential CM|GC from the list of most qualified potential CM|GCs. **Any protest of the selection process shall be directed to Mike Freeman, Regional Director, HMK Company, 46 N Front Street, Suite 201, Medford, OR 97501.** Protests by adversely affected or aggrieved potential CM|GCs must be in writing and must specify the grounds upon which the protest is based and must be delivered to the Owner within seven (7) calendar days after the date of issuance of the notice of selection of most qualified potential CM|GCs. No protest of or challenge to the selection of most qualified potential CM|GCs will be considered after that time period.
- C. In order to be considered, a protest shall be in writing and shall include:



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1. The name and address of the aggrieved person;
  2. The contract title under which the protest is submitted;
  3. A detailed description of the specific grounds for protest and any supporting documentation; and
  4. The specific ruling or relief requested. In addition, in the event the protesting party asserts another proposer's lack of responsibility as a ground for protest, it must address in detail each of the matters in its written protest.
  5. The written protest shall be mailed or delivered to HMK Company, Mike Freeman, Regional Director, 46 N Front Street, Suite 201, Medford, Oregon 97501.
  6. And shall be labeled: "Protest".
- D.** Upon receipt of a written protest, the District shall promptly consider the protest. The District may give notice of the protest and its basis to other persons, including Consultants involved in or affected by the protest; such other persons may be given an opportunity to submit their views and relevant information. If the protest is not resolved by mutual agreement of the aggrieved person and the District, the District will promptly issue a decision in writing stating the reasons for the action taken. A copy of the decision shall be mailed by certified mail, return receipt requested, or otherwise promptly furnish to the aggrieved person and any other interested parties. The District's decision may be appealed to the Superintendent by written notice together with all supportive evidence, received at the address set forth in Section V.C.5 not more than two (2) working days after receipt of the decision. The Superintendent's decision shall be final and conclusive.
- E.** Strict compliance with the protest procedures set forth herein is essential in furtherance of the public interest. Any aggrieved party that fails to comply strictly with these protest procedures is deemed, by such failure, to have waived and relinquished forever any right or claim with respect to alleged irregularities in connection with the solicitation or award. No person or party may pursue any action in court challenging the solicitation or award of this contract without first exhausting the administrative procedures specified herein and receiving the District's final decision.

## **VI. NEGOTIATION**

After selection of a successful Proposer, District may enter into Contract negotiations with the successful Proposer. By submitting a Proposal, Proposer agrees to comply with the requirements of the RFP, including the terms and conditions of the Sample Contract (Attachment E - G), with the exception of those terms listed below for negotiation.

Proposer shall review the attached Sample Contract and note exceptions. Proposer must



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submit those exceptions to District during the Questions / Requests for Clarification period set forth in Section II.B. above. Unless District agrees to modify any of the terms and conditions, District intends to enter into a Contract with the successful Proposer substantially in the form set forth in Sample Contract (Attachment E - G).

It may be possible to negotiate some provisions of the final Contract; however, District is not required to make any changes and many provisions cannot be changed. Proposer is cautioned that the District believes modifications to the standard provisions constitute increased risk and increased cost to the District. Therefore, District will consider the Scope of requested exceptions in the evaluation of Proposal.

Any subsequent negotiated changes are subject to prior approval of District's Board of Directors.

District is willing to negotiate all items, except those listed below:

- Choice of law
- Choice of venue
- Constitutional requirements
- Requirements of applicable federal and State law
- Requirements of applicable Board policy

In the event that the parties have not reached mutually agreeable terms within 30 calendar days, District may terminate Negotiations and commence Negotiations with the next highest-ranking Proposer.

## VII. NO CONTACT WITH DISTRICT PERSONNEL

Proposers are cautioned to not have any contact with District personnel during the proposal and evaluation period. Violation of this rule may be cause for disqualification. All questions and contact are to be through the designated HMK Company Project Manager

## VIII. ATTACHMENTS

- A. Signature Page **(MUST BE SIGNED AND RETURNED WITH PROPOSAL)**
- B. Certifications / Residency **(MUST BE SIGNED AND RETURNED WITH PROPOSAL)**
- C. Certificate of Compliance with Tax Laws **(MUST BE SIGNED AND RETURNED WITH PROPOSAL)**
- D. Insurance Requirements
- E. Draft AIA A133 - 2019 Standard Form of Agreement between Owner and Construction Manager
- F. Draft AIA A133 – 2019 Exhibit A Guaranteed Maximum Price Amendment



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- G. Draft AIA A201 - 2017 General Conditions of the Contract for Construction
- H. General Conditions - Cost of Work Matrix

**END OF REQUEST FOR PROPOSAL**





**ATTACHMENT A  
SIGNATURE PAGE**

SIGNATURE OF FIRM'S DULY AUTHORIZED REPRESENTATIVE FOR THIS PROPOSAL MUST BE SIGNED IN INK BY AN AUTHORIZED REPRESENTATIVE OF THE FIRM; ANY ALTERATIONS OR ERASURES TO THIS PROPOSAL MUST BE INITIALED IN INK BY THE UNDERSIGNED AUTHORIZED REPRESENTATIVE.

The undersigned agrees and certifies that (s)he:

1. Has read and understands all Proposal instructions, specifications, and terms and conditions contained herein;
2. Is an authorized representative of the Firm, that the information provided in this Proposal is true and accurate, and that providing incorrect or incomplete information may be cause of Proposal rejection or contract termination;
3. Is bound by and will comply with the provisions of 279C.838, 279C.840 or 40 U.S.C. 3141 to 3148.
4. Is bound by and will comply with all requirements, specifications, contract and terms and conditions contained herein; and
5. Will furnish the designated item(s) and/or service(s) in accordance with the contract if awarded to Firm.
6. The Firm will provide its Federal Tax Identification number with Proposal submission.

Company Name: \_\_\_\_\_

Name (printed) & Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Email: \_\_\_\_\_

Federal Tax Identification Number: \_\_\_\_\_



**ATTACHMENT B  
 CERTIFICATIONS / RESIDENCY**

**CERTIFICATION OF UNDERSTANDING OF REQUEST FOR PROPOSALS**

The undersigned offers and agrees to furnish all material, supervision and personnel to the Ashland School District for Construction Manager | General Contractor (CM|GC) Services in accordance with this Request for Proposal.

Acknowledgement of Addendum: \_\_\_\_\_

The undersigned further certifies that he/she has read, understands and agrees to abide by all terms and conditions of this Request for Proposals and if awarded the contract to furnish the CM|GC Services to the District as delineated by this Request for Proposal.

The Proposer certifies that it does not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, handicap, financial ability, age or other non-job-related factors as per ORS 659a and 42 U.S.C. § 2000e et seq.

**RESIDENCY STATEMENT**

Pursuant to ORS 279A.120, Oregon’s reciprocal Preference Law, public contracting agencies shall, for the purposes of determining the lowest responsible bidder/proposer and the awarding of a contract, add a percent increase on the bid of a non-resident bidder/proposer equal to the percent, if any, of the preference given to that bidder/proposer in the state in which the bidder/proposer resides.

As defined in ORS 279A.120, “Resident Bidder/Proposer” means a bidder/proposer that has paid unemployment taxes or income taxes in this state in the twelve calendar months immediately preceding submission of the bid, has a business address in this state, and has stated in the bid whether the bidder/proposer is a “Resident Bidder/Proposer”. A “non-resident Bidder/Proposer” is a bidder/proposer who does not meet the definition of a “Resident Bidder/Proposer” as stated above.

The undersigned hereby states their resident status is as follows, RESIDENT: YES \_\_\_\_ NO \_\_\_\_

\_\_\_\_\_  
 Legal Name of Proposing Firm

\_\_\_\_\_  
 Date

By: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_  
 \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

State of Incorporation, if Corporation: \_\_\_\_\_

\_\_\_\_\_  
 Signature of Proposer

\_\_\_\_\_  
 Printed Name of Proposer



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**ATTACHMENT C**  
**CERTIFICATE OF COMPLIANCE WITH TAX LAWS**

I, the undersigned, being first duly sworn, hereby certify under penalty of perjury that I am authorized to act on behalf of \_\_\_\_\_ [insert Firm's name] and to the best of my knowledge, \_\_\_\_\_ [insert Firm's name] is not in violation of any Oregon Tax Laws. For purposes of this Certificate, "Oregon Tax Laws" are those laws and programs listed in ORS 305.380(4), namely ORS Chapters 118, 314, 316, 317, 318, 320, 321 and 323 and Sections 10 to 20, Chapter 533, Oregon Laws 1981, as amended by Chapter 16, Oregon Laws 1982 (first special session); the elderly rental assistance program under ORS 310.630 to 310.706; and any local tax laws administered by the Oregon Department of Revenue under ORS 305.620.

Business Designation (check one):

\_\_\_\_\_ Corporation    \_\_\_\_\_ Governmental/Non-Profit    \_\_\_\_\_ Sole Proprietorship  
\_\_\_\_\_ Partnership    \_\_\_\_\_ Limited Liability Company

Federal Tax Identification Number: \_\_\_\_\_

(Above information must be provided with the Proposal. If awarded the contract, this information will be reported to the Internal Revenue Service under the name and taxpayer I.D. number submitted. Information not matching IRS records could subject the Firm to 31 percent backup withholding.)

Legal Name of Proposing Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Name (printed) & Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



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**ATTACHMENT D**  
**INSURANCE REQUIREMENTS**

See Exhibit B following the Draft AIA A133 - 2019



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**ATTACHMENT E**  
**DRAFT AIA A133 – 2019**  
**Standard Form of Agreement between Owner and Construction Manager**

To be released in an addendum to the Request for Proposal.



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**ATTACHMENT F**  
**DRAFT AIA A133 - 2019 EXHIBIT A**  
**Guaranteed Maximum Price Amendment**

To be released in an addendum to the Request for Proposal.



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**ATTACHMENT G**  
**DRAFT AIA A201 – 2017**  
**General Conditions of the Contract for Construction**

To be released in an addendum to the Request for Proposal.



ATTACHMENT H - FEE / GENERAL CONDITIONS / COST OF THE WORK

	General Conditions	CM/GC Fee	Direct Cost of Work	Owner Cost
Senior Project Manager (for project specific time only)	YES			
Project Manager	YES			
Project Superintendent	YES			
Assistant Project Manager	YES			
Project Engineers	YES			
Field Engineers	YES			
On-Site Clerical Assistant	YES			
Scheduler (for project specific time only)	YES			
Safety Coordinator (for project specific time only)	YES			
Employee fringe benefits, vacation and sick leave	YES			
Travel, lodging, per diem, ect.	YES			
Jobsite Office and storage trailer rental	YES			
Job office furniture, equipment, and expendables	YES			
Job office security and cleaning	YES			
Vehicle costs for on site CM/GC vehicles	YES			
Postage and Shipping	YES			
Project photos	YES			
Computers, Copiers, Printers, Fax Machines	YES			
Document printing	YES			
Commissioning coordination	YES			
Cost estimating ( <b>Post GMP</b> )	YES			
Value engineering ( <b>Post GMP</b> )	YES			
Temporary toilets	YES			
Drinking water	YES			
Contractor signage	YES			
Safety equipment for CM/GC personnel	YES			
First aid supplies & Fire Extinguishers	YES			
Substance abuse testing/monitoring	YES			
CM/GC mobilization/demobilization	YES			
Jobsite security	YES			
GM/GC parking/shuttles	YES			
Phone & Internet installation & line charges	YES			
Telephones, cell phones, radios, pagers	YES			
Small tools for CM/GC usage	YES			
General Superintendents		YES		
Project Executive CM/GC principals(s) in charge		YES		
Payroll/Accounting/Data Processing		YES		
Bonuses		YES		
Corporate safety officer		YES		
Home office administration		YES		





ATTACHMENT H - FEE / GENERAL CONDITIONS / COST OF THE WORK

	General Conditions	CM/GC Fee	Direct Cost of Work	Owner Cost
Corporate IT support		YES		
Computer Software		YES		
Home office payroll costs, fringes, bonuses, etc.		YES		
Soils report				YES
Site survey				YES
Special inspections and testing				YES
Planning and building permits and fees				YES
Development fees				YES
Performance/payment bond			YES	
Subcontractor bonds			YES	
Builder's risk insurance			YES	
General liability insurance			YES	
BOLI fees			YES	
Construction surveying/building layout			YES	
Subcontracts			YES	
Wages for trade labor			YES	
Labor burden for trade labor			YES	
Materials and equipment for site logistics			YES	
Rental equipment used on site			YES	
Temporary fencing			YES	
Barricades			YES	
Temporary enclosures			YES	
Temporary stairs			YES	
Opening protection			YES	
Safety railings and fall protection			YES	
Weather protection			YES	
Temporary utilities hookup			YES	
Temporary utility bills			YES	
Periodic cleanup			YES	
Dump fees			YES	
Final cleanup			YES	
Flagging/traffic control			YES	
Dust control			YES	
Trade permits (if not included in subcontracts)			YES	