

Contoocook Valley School District

106 Hancock Road
Peterborough, NH 03458
603-924-3336 phone
603-924-6707 fax

Request For Proposals

Architectural Design Services for Middle and High School Construction and/or Renovations

Sealed proposals must be submitted no later than 2:00 PM on Friday, May 13, 2022.

Proposals will be publicly opened at the SAU Office, 106 Hancock Road, Peterborough, New Hampshire. The contents of all proposals will be open to inspection by interested parties, either at the time of bid opening or by appointment thereafter.

**Contoocook Valley School District
Request For Qualifications and Proposals
Architectural Design Services
Middle and High School Construction and/or Renovation**

The Contoocook Valley School District (“District,” “SAU #1” or “Owner” is interested in procuring architectural/engineering consultation and services for planning and potential construction of renovations to the two (2) Middle Schools and the High School in the ConVal School District (collectively, “the Project” or “Project”). Throughout this RFP, the party responding to this RFP is referred to as “Architect,” “Engineer,” “Bidder,” or “Contractor.”

NOTICE: A MANDATORY BID WALK HAS BEEN SCHEDULED FOR POTENTIAL BIDDERS WHO RSVP no less than 24 hours in advance FOR FRIDAY, APRIL 15, 2022 AT 9:00am, commencing at the SAU Offices. For further information contact Tim Grossi, Director of Facilities at tgrossi@conval.edu or (603) 924-3336.

I. Background Information

The ConVal School District consists of approximately 2,100 students enrolled in grades PK-12. Facilities include eight Elementary Schools, two Middle Schools, and one High School. The High School is accredited by the New England Association of Schools and Colleges, and all schools are fully approved by the New Hampshire State Department of Education.

The primary impetus for this project is the need to conduct an extensive renovation on the Great Brook (“GBS”), South Meadow (“SMS”) Middle Schools and ConVal (“CVHS”) High School. GBS is located at 16 School Street in Antrim. It was originally constructed in 1940, and was renovated in 1989. There is 59,500 square feet of building space and enrollment for the current school year is 240 students. SMS is located at 108 Hancock Road in Peterborough. It was originally constructed in 1970 and was also renovated in 1989. There is 106,000 square feet of building space. The enrollment for the current school year is 340 students. CVHS is located at 184 Hancock Road in Peterborough. It was originally constructed in 1969 and was renovated in 1998 and 2002. There is 195,330 square feet of building space and enrollment for the current school year is 734 students.

II. Scope & Pricing of Services

The scope of this project involves architectural/engineering consultation and design services related to future renovations of GBS, SMS and CVHS, including study, review, recommendations, and schematic design, in anticipation of potential future design development, final design, bidding, and contract administration. These consultation and design services include conceptual and schematic structural, mechanical, electrical, plumbing and site/civil engineering services, energy modeling and analysis, food service, technology and security integration as they pertain to renovations and updates for all of the schools. The objective of this project is to produce the materials and information necessary to present a

proposed project budget and warrant article to the District at public meetings, a bond hearing and the 2023 Deliberative Session for a subsequent vote by the citizens of the District.

The architect will engage in interviews with all stakeholders – school district administration, middle school staff, district, parents, etc. – to determine the best approach to meeting middle school program requirements and then preliminarily design the appropriate renovations for each facility to meet these needs. A primary goal of the school district is equity of programs in the two middle schools. The architect shall integrate the District’s vision for teaching and learning into the renovations where applicable. Consideration shall be given to renovations that improve energy efficiency.

The District anticipates putting a bond article on the 2023 Warrant for its Annual Meeting to authorize borrowing for the Project. Any future work will be contingent upon approval of the necessary borrowing, the receipt of project-related state and federal funds and a successful bid for future work.

Proposals must include all architectural/engineering consultation and design costs, including all related civil, structural, mechanical & electrical engineering expenses related to the work described below. A fee schedule reflective of the proposed contract values and percentages shall be based on the following two work phases (collectively “the work”):

- Phase I – Consultation.
 - Refine and define the scope of the necessary renovations. This phase will require site and facilities inspections, review of as-built conditions, review of existing plans and prints, review of any existing studies, meetings with school administrators, board subcommittees, the school board, staff and community members and local government officials such that the Bidder has sufficient information to produce conceptual and schematic designs, artistic renderings, lists of required renovations with product descriptions and specifications and project cost estimates. Phase I shall conclude with a formal presentation to the administration any subcommittee of the Board, and the Board outlining the deficiencies and needed renovations to address these deficiencies.
- Phase II Schematic Design.
- Preliminary Design Development and Project Cost Estimates
This phase shall be subject to completion of Phase I and the District’s approval of the Phase I work. This Phase shall include sufficient preliminary design development including conceptual renderings, preliminary designs, lists of required renovations with product descriptions and specifications, and project cost estimates such that the District and the Bidder can make a well-defined presentation and proposal to the citizens of the District for the renovation of the two (2) middle schools and the high school. The Bidder shall be expected to support the District in making presentations to the citizens of the District regarding the Project. In the event that a warrant article passes in 2023, Phase II shall conclude with working with the District to issue RFPs for construction.

Additionally, all fees, anticipated reproduction costs and reimbursable expenses must be represented within your proposal by category in the form of a “not-to-exceed” allowance number per category. Meeting schedules with District officials for the duration of the project will include a minimum of one in-district meeting every two weeks, one evening subcommittee

meeting per month, and one evening School Building Committee meeting per month. The latter two meetings may be held on the same night.

The District puts the Bidder on notice that the award of this bid is not a commitment on the part of the District to use the Bidder for work after the completion of Phase II. In addition, the District provides no assurance that the citizen voters of the District will approve the Project for construction. The District requires completion of the work (Phases I and II) in time for the District to make presentations, propose the necessary bond article, secure any available grant funding and present the Project in advance of the 2023 District Annual Meeting.

All work performed shall become the property of the District and may be used in soliciting bids for subsequent project phases and for designing and constructing the project regardless of whether the Bidder is selected for the next phases of the Project.

Proposals must be guaranteed for sixty (60) days from the date of receipt.

III. Owner-Identified Program Requirements

Appendix A and B outlines initial perceived requirements and issues for SMS and GBS, respectively. Appendix C outlines initial perceived requirements and issues for CVHS. The information provided is intended to identify issues known to the District regarding the existing facilities. Further discussion of these and other requirements will obviously take place through the Phase I process.

It is recommended that the information be used simply as a guide for the development of concepts only. Alternative building design solutions are encouraged.

IV. Qualifications and Proposal Specifications

Qualifications and Proposals must include the following information:

1. Cover Letter: A cover letter introducing the bidder's team and including as a minimum This letter should introduce the team and include as a minimum:
 - a) If submitting as a team, note which team member (company) is the prime consultant, or if it will be a prime-sub consultant(s) contractual relationship.
 - b) Identify the individual (person) or individual(s) who will be responsible for oversight capacity for work; and identify the individual(s) who will be leading the Architectural and Engineering team.
2. Team Profile: A team profile including:
Architectural and Engineering Firm History (include for all team member firms) including:
 - a) Number of Years in business
 - b) Current Work Backlog, broken down by project type and your role in the project.
3. Project Team: A statement as to the project team, providing resumes of key proposed project personnel. Indicate the number of years employed by the firm.

4. Project Experience & References: Provide a brief and concise description of educational projects, including Elementary, Middle School, or Highschool projects completed and services provided (indicate completed or in progress).
5. Prior Project Details: The individual construction budget total for projects completed in the last five (5) years, including the variance (positive or negative) between the projected construction budget and actual bid results, and the number of change orders for each project with their positive or negative affect on the budget.
6. Project Controls: Demonstrate your Firm's (or your team's) abilities in:
 - a) Design
 - b) Estimating & Cost Control
 - c) Document Management/Control, quality control review
 - d) Scheduling
7. Financial Strength: Indicate the dollar value of the three largest projects (within the past (5) five years) that the primary bidder/consultant has served as an Architectural and Engineering firm, regardless of project type.
8. Declaration: Submit a declaration that reasonable diligence has been used in preparation of the Request for Qualifications submitted in response to the RFQ and that all information provided in response to Paragraphs (a) through (f) below is true, correct and complete.
 - a) Type of organization or company structure.
 - b) Number of years the firm has been in business.
 - c) Architectural and Engineering Licenses are clear and current.
 - d) Location of the principal office that will be responsible for the implementation of this contract.
 - e) Certification that the Architectural and Engineering firm is legally permitted to conduct business in the State of New Hampshire.
 - f) Capacity and capability of firm: The Architectural and Engineering Manager or firm must demonstrate an ability to be able to deal with the multidisciplinary services outlined in this RFQ/P.
9. Financial Strength: A certified or authenticated financial statement, dated within sixty (60) days prior to the proposal submission. Further verification may be required.
10. Litigation History: A statement regarding any past, present or pending litigation with an owner, governmental regulatory agency or contractor.
11. Other Information: Such additional information as may be proffered to demonstrate the bidder is adequately prepared in technical experience to successfully complete the work.
12. Certificate of architectural design and liability insurance, and a list of any and all claims filed against the same.

13. The name, address and phone number of the firm and contact person for this proposal.

While not required as a prerequisite for submitting a proposal, any site plans, floor plans, or schematic drawings representing the architect's initial conceptual thinking about this project are welcome and will be viewed as strengthening the overall proposal.

V. Proposal Terms and Submission

1. Low Bid shall not be the sole criterion for awarding the work. Proposals will be evaluated and selected through the process set forth below in Section VI based on the following criteria (not listed in any order of weight or priority):
 - Architect's understanding of work to be done as presented in the request for proposals.
 - Experience renovating and designing schools with a similar size and scope, knowledge of school construction requirements and procedures, and understanding of educational program planning.
 - Education, experience and qualifications of professional staff who will be assigned to the project.
 - Design process, creativity and impact as indicated by written or visual profiles of past work and the architect's approach to the design process and budget development with the school community.
 - Overall quality of the proposal, the degree to which the proposal provides the information requested, responses to references, and any information gathered in site visits to recent school renovation projects.
 - Cost of services.
2. Any one or more of the following causes may be considered sufficient for the disqualification of a bidder and the rejection of its/his/her proposal.
 - Evidence of collusion among bidders.
 - Lack of financial soundness based on the statements provided or bank references.
 - Lack of expertise as shown by past work, as judged from the standpoint of workmanship and performance history.
 - Uncompleted work under other contracts which, in the judgment of the District might hinder or prevent the prompt completion of additional work if awarded.

- Being in arrears on existing contracts, or in litigation with an owner or governmental agency. General litigiousness, criminal convictions of the business or any principal of the business, or a poor reputation shall be a sufficient basis for rejecting a bid
3. The District reserves the right to waive all formalities and reject any and all proposals when it is in the best interests of the District to do so. This includes, but is not limited to, the right to reject a proposal when the District deems an architect to be unable to successfully perform the contract or unqualified to bid on the actual final design and construction phase of the Project.
 4. Proposals shall be signed by the individual or official of the firm who has the power to bind the firm contractually. Six (6) bound copies of the Proposal, including one original with original signatures and shall be sealed in an interior envelope marked "CONFIDENTIAL PROPOSAL- Middle and High School Project - RFQP Architectural & Engineering Services for the ConVal School District" and one copy of the proposal on digital media (USB Flash Drive) must be submitted in a sealed envelope clearly marked Middle and High School Project no later than 2:00 PM on May 13, 2022. The Proposal shall be mailed or hand delivered to the following Address:

Tim Grossi, Director of Facilities
106 Hancock Road
Peterborough, New Hampshire 03458

RFQ's received after 2:00 PM on Friday, May 13, 2022 will not be accepted and will not be considered.

5. All proposals will be opened at the above date, time and place and will be available for inspection (and thereafter by appointment) by interested parties in a manner consistent with NH RSA 91-A.

VI. Selection Process

1. Upon opening and review of the proposals and the statement of qualifications by the bidder, a designated subcommittee of the Board and its administration will invite one or more bidders for an interview.
2. The Subcommittee of the Board will recommend appointment of a bidder to the School Board.
3. Upon action by the Board, the District will execute an agreement with the bidder in a manner and form consistent with this Request for Qualifications and Proposals.
4. The contract shall be deemed as having been awarded when the Contoocook Valley School District has duly served the formal notice of acceptance upon the intended

successful bidder and the Parties have entered into a written agreement. Unsuccessful bidders will be notified in writing.

VII. Form of Agreement

The form of agreement between Owner and Architect shall be consistent with this Request for Qualifications/Proposals.

The Architect will be expected to work closely with the Owner and will be encouraged to propose cost and time saving alternatives.

VIII. On-site Inspection and Further Information

A mandatory on-site tour of the schools will be provided on Friday , April 15, 2022. Interested parties should report to the SAU office at 9:00 AM.

Please contact Tim Grossi, Director of Facilities at (603) 924-3336 for further information or questions.

XI. Timeline for RFP Award

Release of RFP	April 8, 2022
Mandatory Site Visits	April 15, 2022
Receipt of proposal	May 13, 2022
Interview dates	To Be Determined
Contract award date	To Be Determined

The District reserves the right to alter this schedule as necessary.

Additional general terms and conditions are provided in Appendix D.

END

Appendix A

South Meadow Middle School Renovation Project

Program Requirements

March 2022

The following program requirements have been developed for the renovations to SMS Middle School.

Building Design Objectives

The principal design criteria for renovation of the building should take into account the fabric of the areas, as well as responding to the architecture of the existing structure(s). This implies relatively low-build structures of modest massing. Site and building renovations should suggest an educational setting rather than an institutional environment. The following objectives shall be incorporated in determining any building additions and renovation designs:

1. *Adequate lighting.* Use of natural and artificial light within classrooms and common spaces is important for extended periods of study.
2. *Acoustical and visual separation between common areas and classroom spaces.* Sound transmission between classrooms should be low, while sound attenuation within classrooms should be high.
3. *Efficient, fully functional mechanical, electrical and plumbing systems throughout the facilities.* Strong environmental control is required as to provide for excellent air quality with the absence of drafts and hot spots. The heating system should utilize the latest in heating technologies. Ventilation shall be provided by a displacement air system (no substitutions without Building Committee authorization). Dehumidification shall be provided to the majority of instructional spaces in the school. The building shall be equipped with computerized DDC and energy management systems.
4. *Life safety equipment to include smoke detectors, heat detectors and sprinkler systems.* Emergency lighting and fire resistant enclosures required by code must also be installed, with the building's security system upgraded.
5. *Maintainability of all surface areas.* Materials and systems selected must consider normal wear and tear and maintenance. Standard materials affording economical replacement are preferred.
6. *Adequate ventilation.* Prevention of condensation and moisture from accelerating the aging or performance failure of materials selected is considered critical.

7. *Adherence to current building codes.* All building systems must adhere to current building codes as adopted by and the State of New Hampshire and all applicable state and federal design standards.
8. *Access control.* Install an access control utilizing S2 systems. Columbine locks on all doors.

Minimum design-life expectancies

1. Superstructures: 100 years with no maintenance.
2. Roof System: 30 years with minimum required maintenance and a 20 year warrantee.
3. Building Envelopes: 40 years with routine maintenance, 10 years for caulking and sealants
4. Interior finish: 30 years with routine maintenance.
5. Mechanical Systems: 40 years with routine maintenance.
6. Electrical Systems: 40 years.

Assessment Recommendation Highlights

1. Update building to meet all current building codes.
2. Replace lighting with LED fixtures.
3. Install additional electrical outlets in classrooms.
4. Install projection systems in all classrooms
5. Install two-way talkback speakers in instructional areas.
6. Install lighting controls.
7. Replace clock and telephone systems.
8. Enhance security system (additional cameras, columbine locks)
9. Reconfigure main entrance with secured accessible vestibule, to route visitors directly to main office.
10. Replace fire alarm system.
11. Replace roofing membranes depending on roof section age.
12. Expand parking and install drop-off/pickup lane.
13. Renew all paved and concrete surfaces as needed.
14. Enhance entrance for bus drop-offs and staff.
15. Improve classroom storage.
16. Replace windows as needed.
17. Replace flooring as needed.
18. Add wall insulation throughout as required.
19. Paint all surfaces.

END OF APPENDIX A

APPENDIX B

Great Brook Middle School Renovation Project

Program Requirements

March 2022

The following program requirements have been developed for the renovations to GBS Middle School.

Building Design Objectives

The principal design criteria for renovation of the building should take into account the fabric of the areas, as well as responding to the architecture of the existing structure(s). This implies relatively low-build structures of modest massing. Site and building renovations should suggest an educational setting rather than an institutional environment. The following objectives shall be incorporated in determining any building additions and renovation designs:

1. *Adequate lighting.* Use of natural and artificial light within classrooms and common spaces is important for extended periods of study.
2. *Acoustical and visual separation between common areas and classroom spaces.* Sound transmission between classrooms should be low, while sound attenuation within classrooms should be high.
3. *Efficient, fully functional mechanical, electrical and plumbing systems throughout the facilities.* Strong environmental control is required as to provide for excellent air quality with the absence of drafts and hot spots. The heating system should utilize the latest in heating technologies. Ventilation shall be provided by a displacement air system (no substitutions without Building Committee authorization). Dehumidification shall be provided to the majority of instructional spaces in the school. The building shall be equipped with computerized DDC and energy management systems.
4. *Life safety equipment to include smoke detectors, heat detectors and sprinkler systems.* Emergency lighting and fire resistant enclosures required by code must also be installed, with the building's security system upgraded.
5. *Maintainability of all surface areas.* Materials and systems selected must consider normal wear and tear and maintenance. Standard materials affording economical replacement are preferred.
6. *Adequate ventilation.* Prevention of condensation and moisture from accelerating the aging or performance failure of materials selected is considered critical.

7. *Adherence to current building codes.* All building systems must adhere to current building codes as adopted by and the State of New Hampshire and all applicable state and federal design standards.
8. *Access control.* Install an access control utilizing S2 systems. Columbine locks on all doors.

Minimum design-life expectancies

1. Superstructures: 100 years with no maintenance.
2. Roof System: 30 years with minimum required maintenance and a 20 year warrantee.
3. Building Envelopes: 40 years with routine maintenance, 10 years for caulking and sealants
4. Interior finish: 30 years with routine maintenance.
5. Mechanical Systems: 40 years with routine maintenance.
6. Electrical Systems: 40 years.

Assessment Recommendation Highlights

1. Update building to meet all current building codes.
2. Replace lighting with LED fixtures.
3. Install additional electrical outlets in classrooms.
4. Install projection systems in all classrooms
5. Install two-way talkback speakers in instructional areas.
6. Install lighting controls.
7. Replace clock and telephone systems.
8. Enhance security system (additional cameras, columbine locks)
9. Reconfigure main entrance with secured accessible vestibule, to route visitors directly to main office.
10. Replace fire alarm system.
11. Replace roofing membranes depending on roof section age.
12. Expand parking and install drop-off/pickup lane.
13. Renew all paved and concrete surfaces as needed.
14. Enhance entrance for bus drop-offs and staff.
15. Improve classroom storage.
16. Replace windows as needed.
17. Replace flooring as needed.
18. Add wall insulation throughout as required.
19. Paint all surfaces.

END OF APPENDIX B

APPENDIX C

ConVal High School Renovation Project

Program Requirements

March 2022

The following program requirements have been developed for the renovations to ConVal High School.

Building Design Objectives

The principal design criteria for renovation of the building should take into account the fabric of the areas, as well as responding to the architecture of the existing structure(s). This implies relatively low-build structures of modest massing. Site and building renovations should suggest an educational setting rather than an institutional environment. The following objectives shall be incorporated in determining any building additions and renovation designs:

1. *Adequate lighting.* Use of natural and artificial light within classrooms and common spaces is important for extended periods of study.
2. *Acoustical and visual separation between common areas and classroom spaces.* Sound transmission between classrooms should be low, while sound attenuation within classrooms should be high.
3. *Efficient, fully functional mechanical, electrical and plumbing systems throughout the facilities.* Strong environmental control is required as to provide for excellent air quality with the absence of drafts and hot spots. The heating system should utilize the latest in heating technologies. Ventilation shall be provided by a displacement air system (no substitutions without Building Committee authorization). Dehumidification shall be provided to the majority of instructional spaces in the school. The building shall be equipped with computerized DDC and energy management systems.
4. *Life safety equipment to include smoke detectors, heat detectors and sprinkler systems.* Emergency lighting and fire resistant enclosures required by code must also be installed, with the building's security system upgraded.
5. *Maintainability of all surface areas.* Materials and systems selected must consider normal wear and tear and maintenance. Standard materials affording economical replacement are preferred.

6. *Adequate ventilation.* Prevention of condensation and moisture from accelerating the aging or performance failure of materials selected is considered critical.
7. *Adherence to current building codes.* All building systems must adhere to current building codes as adopted by and the State of New Hampshire and all applicable state and federal design standards.
8. *Access control.* Install an access control utilizing S2 systems. Columbine locks on all doors.

Minimum design-life expectancies

1. Superstructures: 100 years with no maintenance.
2. Roof System: 30 years with minimum required maintenance and a 20 year warrantee.
3. Building Envelopes: 40 years with routine maintenance, 10 years for caulking and sealants
4. Interior finish: 30 years with routine maintenance.
5. Mechanical Systems: 40 years with routine maintenance.
6. Electrical Systems: 40 years.

Assessment Recommendation Highlights

1. Update building to meet all current building codes.
2. Replace lighting with LED fixtures.
3. Install additional electrical outlets in classrooms.
4. Install projection systems in all classrooms
5. Install two-way talkback speakers in instructional areas.
6. Install lighting controls.
7. Replace clock and telephone systems.
8. Enhance security system (additional cameras, columbine locks)
9. Reconfigure main entrance with secured accessible vestibule, to route visitors directly to main office.
10. Replace fire alarm system.
11. Replace roofing membranes depending on roof section age.
12. Expand parking and install drop-off/pickup lane.
13. Renew all paved and concrete surfaces as needed.
14. Enhance entrance for bus drop-offs and staff.
15. Improve classroom storage.
16. Replace windows as needed.
17. Replace flooring as needed.

18. Add wall insulation throughout as required.
19. Paint all surfaces.

END OF APPENDIX C

APPENDIX D ***General Terms and Conditions***

Any exceptions to these general terms and conditions stated elsewhere in this Request for Qualifications/Proposals shall prevail.

I. Specifications

References to brand names or model numbers are intended only to establish a minimum standard of quality. Unless otherwise stated, such references shall not restrict submissions which include other brand names or model numbers.

Any inability to comply with the conditions or specifications outlined in the Request for Qualifications/ Proposals must be clearly stated.

Firms who find discrepancies in the specifications or are in doubt with regard to any part of a specification shall immediately notify the District. If it is deemed necessary, an addendum will be issued to all firms by mail, fax or email. The District will not be responsible for any oral instructions.

The District supports the concept of purchasing products which, when appropriate, are biodegradable, can be or have been recycled, or are environmentally sound. Due consideration will be given to the purchase of such products. If you are bidding on any such products which qualify, please so indicate in a cover sheet by item number and description.

II. Charges

No charges will be allowed for federal, state, or municipal sales and excise taxes, as the Contoocook Valley School District is tax exempt.

All charges are to be firm net prices, and are to be F.O.B. destination, including charges for delivery and placement.

III. Terms and Conditions of Bid

The Contoocook Valley School District reserves the right to waive all formalities and reject any and all proposals when it is in the best interest of the District to do so.

To be eligible for an award, a proposer must be deemed "responsible". A responsible bidder 1) has the ability, capacity and skill to provide the consultation and design services required; 2)

can provide the services within the time frame specified; 3) has a satisfactory record of integrity, reputation, judgment and experience; 4) has sufficient financial resources to provide the services; 5) has an ability to provide future maintenance and support as required; and 6) has developed a positive track record with the District to the extent the bidder has previously provided goods or services.

From time to time, the District may, because of critical time frames, solicit proposals prior to approval of the fiscal year operating budget or formal appropriation or borrowing funds actually funding the bid purchase. The award of a bid is always contingent upon the availability of such funding.

The submission of a proposal constitutes the bidder's acceptance of and agreement to the terms and conditions of this Request for Proposals (RFP).

All proposals will be firm and binding for sixty (60) days from the date of the proposal opening.

IV. Submission and Opening of Proposals

All proposals receiving consideration must be submitted in sealed envelopes, clearly identified as directed by this Request for Qualifications/Proposals and delivered to the Contocook Valley School District Facilities Office located at 106 Hancock Road, Peterborough, New Hampshire 03458 by the date and time specified. Provide six (6) copies of your RFP response, bound and tabbed along with an electronic file in PDF format on a virus-free labeled USB flash drive.

Samples when required shall be furnished free of charge and must be tagged with the bidder's name and bid identification. Samples not used or destroyed in testing will be returned to the bidder at his/her request and expense.

V. Compliance with Applicable Laws and Regulations

All goods or services furnished must comply with all applicable federal, state, and local laws, codes and regulations.

Material Safety Data Sheets are required for all products containing one or more toxic substances in accordance with the New Hampshire "Worker's Right to Know Act" (Chapter 277-a). Award of the bid to the successful bidder is contingent on the bidder supplying 20 copies of the Material Safety Data Sheets to allow for postings at all potential District locations.

VI. Insurance Requirements

Contractor shall carry and maintain in effect during the performance of services under this contract:

- General Liability insurance in the amount of \$1,000,000 per occurrence; \$2,000,000 aggregate;

- \$1,000,000 Combined Single Limit Automobile Liability; and Workers' Compensation Coverage in compliance with the State of New Hampshire statutes, \$100,000/\$500,000/\$100,000.

Contractor shall maintain in effect at all times during the performance under this contract all specified insurance coverage with insurers. None of the requirements as to types and limits to be maintained by **Contractor** are intended to and shall not in any manner limit or qualify the liabilities and obligations assumed by **Contractor** under this contract. The Contoocook Valley School District shall not maintain any insurance on behalf of **Contractor**. Subcontractors are subject to the same insurance requirements as **Contractor** and it shall be the **Contractor's** responsibility to ensure compliance of this requirement.

The parties agree that **Contractor** shall have the status of and shall perform all work under this contract as an independent contractor, maintaining control over all its consultants, sub consultants, contractors, or subcontractors. The only contractual relationship created by this contract is between the District and **Contractor**, and nothing in this contract shall create any contractual relationship between the District and **Contractor's** consultants, sub consultants, contractors, or subcontractors. The parties also agree that **Contractor** is not a District employee and that there shall be no:

- (1) Withholding of income taxes by the District;
- (2) Industrial insurance coverage provided by the District;
- (3) Participation in group insurance plans which may be available to employees of the District;
- (4) Participation or contributions by either the independent contractor or the District to the public employee's retirement system;
- (5) Accumulation of vacation leave or sick leave provided by the District;
- (6) Unemployment compensation coverage provided by the District.

Contractor will provide the District with certificates of insurance for coverage as listed below and endorsements affecting coverage required by the contract within ten calendar days after the District issues the notice of award. The District requires thirty days written notice of cancellation or material change in coverage. The certificates and endorsements for each insurance policy must be signed by a person authorized by the insurer and who is licensed by the State of New Hampshire. General Liability, Employers' Liability and Auto Liability policies must name the **Contoocook Valley School District as an additional insured and reflect on the certificate of insurance.** **Contractor** is responsible for filing updated certificates of insurance with the District's Finance Office during the life of the contract.

- All deductibles and self-insured retentions shall be fully disclosed in the certificate(s) of insurance.
- If aggregate limits of less than \$2,000,000 are imposed on bodily injury and property damage, **Contractor** must maintain umbrella liability insurance of at least \$1,000,000. All aggregates must be fully disclosed on the required certificate of insurance.
- The specified insurance requirements do not relieve **Contractor** of its responsibilities or limit the amount of its liability to the District or other persons, and **Contractor** is encouraged to purchase such additional insurance, as it deems necessary.

- The insurance provided herein is primary, and no insurance held or owned by the District shall be called upon to contribute to a loss.
- **Contractor** is responsible for and required to remedy all damage or loss to any property, including property of the District, caused in whole or part by **Contractor** or anyone employed, directed, or supervised by **Contractor**.

VII. Hold Harmless Provisions

The winning bidder must agree to defend, hold harmless, and indemnify the Contoocook Valley School District, its officers, agents and employees against all claims or injuries to any person or firm arising out of the actions of the bidder, its officers, agents, or employees in providing services or goods in connection with this bid award.

VIII. Default

Should any goods or services furnished by the bidder under a contract or purchase order fail to conform to the specifications contained herein or to a sample submitted by the bidder, the District may reject the goods or services. In such an event, the bidder shall be instructed to remove any goods or cease providing services at no cost to the District, and replace them with goods or services conforming to the specifications and samples.

Should the bidder default in the performance of the foregoing paragraph, the District reserves the right to purchase the goods or services from other sources, and to hold the bidder responsible for any excess costs occasioned to the District thereby.

IX. Conflict of Interest

Any bidder who believes a conflict of interest may exist in responding to the Request for Proposals shall so state that conflict as part of the bid submission. The District reserves the right to reject said bid based on its conclusion that a substantive conflict exists.

X. Non-Discrimination

Bidder shall affirm that it does not discriminate against any protected class under New Hampshire and federal law.

END OF APPENDIX D

