



Facilities

Turner USD 202

**Facilities and Grounds
5800 Metropolitan
Kansas City, KS 66106
April 21, 2023**

Request for Proposal

(This is not an order)

Invitation Number 230423

Opening:	Time:	10:30 am
	Date:	Thursday May 5, 2023
On-Site Pre-Bid Meeting:	Time:	By Appointment Only

Turner Unified School District 202 Board of Education invites your proposal for:

Irrigation Installation at Midland Trail Elementary

Opening will be held at:

Turner USD 202
FGM Building
5800 Metropolitan
Kansas City, KS 66106

We look forward to receiving your proposal.

Sincerely,

Chris Crockett
Facilities and Grounds Supervisor
Turner USD 202
913-288-3721

Turner USD No. 202
RFP# 230423 Irrigation Installation at Midland Trail Elementary

GENERAL TERMS

Written Contract

Unless a written contract is specified in the Specific Terms of the proposal documents and a written contract enclosed, the vendor's completed and signed response will be considered an offer and the School District's purchase order will be considered an acceptance and shall constitute a written contract. All terms included in the proposal documents shall be considered a part of the written contract.

Non-Discrimination

Vendors agree that if awarded a contract under this invitation, they shall comply with the applicable provisions of the Federal Civil Rights Act of 1964 and all amendments thereto and all regulations issued there under by the Federal and State governments. If the contractor fails to comply with such acts and regulations, the School District shall have the right to immediately terminate this contract.

Compliance Report and Plan of Action for Contractors

Successful contractors may be required to fill out the "Compliance Report and Plan of Action for Contractors" Kansas Commission on Civil Rights, at time of award of contract. The executed form shall be filed with the Kansas Commission of Civil Rights for their record, in compliance with Kansas Act against Discrimination, K.S.A. 1972, Supp. 44-1030.

Alternate Proposals

There will be no alternate proposals or exclusions to the scope of work represented by the drawings and specifications accepted for this project.

Contractor's Representation

Each Vendor, by making his proposal, represents:

- 1) That they have read and understand the Drawings and Specifications.
- 2) That they have carefully examined all documents pertaining to the project's scope of work requirements, and shall provide and install in a professional manner, all materials, labor, equipment, freight, etc. resulting in the final intent of the project, as represented by the drawings and specifications.
- 3) As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110 –
 - a. The vendor certifies that it and its principals: Are not presently debarred, suspended, proposed for debarment, and declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency.
- 4.) That they have visited the site, where the performance of the work is to occur and have familiarized themselves with all existing conditions of the scope of work.

Proposal Withdrawal

A proposal may be withdrawn by written, faxed, or other documented means if received by the owner from the vendor prior to the time fixed for proposal receiving. Faxed proposal withdrawal requests will be accepted only if vendor confirms by telephone that the faxed request was received by Owner prior to the proposal opening time.

Extension Errors

In the case of an obvious error in the extension of prices in a Bid Proposal the contractor may either honor the bid presented or the bid may be determined as unresponsive and the bid will then be withdrawn.

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Pricing Period

Bids submitted shall remain valid for a period of 60 days.

Rejection of Proposals

The Vendor acknowledges the right of the School District to reject any or all proposals and to waive any formality or irregularity in any proposal received whenever such rejection or waiver is considered to be in the best interest of the School District. The School District also reserves the right to reject the proposal of a contractor who has previously failed to perform properly or complete contracts of a similar nature on time, or the proposal of a contractor who is not qualified in the opinion of the School District, to perform within the proposal specification. The School District reserves the right to reject a proposal if the contractor failed to furnish any required bond or security, or to submit the data required by the proposal documents, or if the proposal is in any way incomplete/irregular.

Conflicting Terms

Whenever there is an apparent conflict between General Terms and the Specific Terms, the Specific Terms shall prevail.

Point of Delivery

All materials for this project should be shipped directly to the building where the performance of work is being conducted.

Refusal of Goods

The use of brand names and descriptions of merchandise is to indicate the minimum quality acceptable and, unless so stated, is not meant to preclude the submission of the proposals for products of equal quality. The School District reserves the right to return, at no expense, merchandise which in the opinion of the School District is in obvious non-compliance with specifications. All materials, systems, and equipment being considered by the Bidders, and differing from the Basis of Design, shall be approved by the Owner, Architect, or Engineer prior to May 2, 2023 by means of an approved written product substitution form, on the Materials Suppliers letterhead, to be allowed and included with the bid. Either the Owner's, Architect's, or Engineer's signature shall be attached thereto any approved substitution request form.

Payment

The Contractor must file a claim for payment by the 1st of the month prior to the second Board of Education meeting of the subsequent month. Payment will be made following approval by the Board of Education. 10% retainage will be held from the total balance of the overall cost until the project is complete and Owner's representative has approved.

Sales Tax

Sales tax will not be charged on School District's purchases. When materials are purchased by a contractor for use on a school district project, the School District will obtain an exemption certificate number from the State Tax Division. Proper tax exemption certificates will be issued by the School District and the Contractor shall extend certificates to all suppliers, and keep a record of same. Contractor is responsible for requesting this document from the Turner Facilities Department.

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SUBMITTAL TERMS

Document Identification

Proposals must be submitted in a sealed envelope with the proposal number and opening date and time clearly indicated on the lower left-hand corner of the envelope. Proposals must be received prior to the opening date and time. If mailed, proposals must be received by the bid date and time indicated and shall be addressed to:

Turner USD No. 202
Facility Supervisor
Attn: Chris Crockett
5800 Metropolitan
Kansas City, KS 66106

The School District shall accept no responsibility for the accidental premature opening or failure to open a proposal which is not identified as stated above.

Email Proposals

The School District will allow a Bid to be submitted by email. (When a vendor chooses to send an emailed proposal the vendor waives their right to a sealed proposal.) When an emailed proposal is received it will be printed and placed in an envelope. The envelope will be marked with the proposal number and opening date and time clearly indicated on the lower left-hand corner of the envelope. The emailed proposal will be opened along with the sealed proposals received at the normal proposal opening time.

The emailed proposal should be sent to: crockettc@turnerusd202.org it is strongly recommended to follow the email with a call to Shannon Schmitt at 913-288-3722 to verify that it was received. The email must be time stamped prior to the date and time of the bid opening.

Late Proposals

Late proposals will be rejected. The ultimate responsibility for the delivery of the proposal document lies with the vendor. The School District shall make no concessions regarding postal service or any other form of conveyance of the proposal document even when timely delivery of the proposal fails through no fault of the vendor.

Amendments by School District

Amendments to the proposal by the School District will be made by the Facility Supervisor and will be in writing.

Bid Bond

A 5% bid bond is required on any proposal equal to or exceeding \$100,000.00 and are due at the time the bid is awarded to the contractor by the Turner USD 202 Board of Education.

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SPECIFIC TERMS

Factory New

All goods, products, materials, and equipment pursuant to this proposal shall be factory new and unused.

Safety Standards

Material must meet all federal, state, and local safety standards and specifications in effect at the time of production. In all cases, where conflict occurs, the more stringent provision or standard will apply.

Substitutions

Any "or equal" substitutions must be demonstrated to the School District's Facility Supervisor. All materials and equipment being considered by the Bidders, and differing from the Base of Design, shall be approved by the Owner, Architect, or Engineer prior to May 2, 2023 by means of an approved written product on the substitution form, on the Materials Suppliers letterhead, to be allowed and included with the bid. With the Owner's, Architect's, or Engineer's signature shall be attached thereto any approved substitution request form.

Liquidated Damages

Substantial completion is scheduled for July 28, 2023; there will be liquidated damages issued to the contractor in the amount of \$200 per day the project is not considered to be complete by the owner's representative TUSD 202 Supervisor of Facilities, Chris Crockett. This penalty will be withheld from the final payment issued to the contractor, unless the contractor has written permission from Turner USD 202 stating that the deadline can be extended.

Warranty

Submitted proposals must include a one-year warranty on workmanship, and a two year warranty on equipment, materials, and fixtures.

Award of Proposals

It is the intention of the school district administration to make a decision regarding the Award of the Project by Wednesday May 17, 2023.

Information regarding proposal awards will be made available to contractors on Wednesday May 17, 2023 or thereafter.

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SPECIFICATIONS

Specific specifications and design are available upon request from the Supervisor of Facilities, Chris Crockett at 913-288-3721 or crockettc@turnerusd202.org

GENERAL

DELIVERY, STORAGE, AND HANDLING

- A. Storage and Protection:** The Contractor awarded this project is responsible for the protection of any materials, tools and/or equipment on site. The contractor shall hold harmless Turner USD 202 and/or employee, volunteer or representative.
- B. Hold Harmless:** The above named group, person, or organization agrees to indemnify and hold harmless Turner USD 202, it's officers, agents, servants, board members, and employees from any and all liability of whatever kind of nature resulting from damage or injury to any person or property which occurs while such person, group, or organization is occupying or using its facilities or property.

Insurance:

- A. The following minimum coverage shall apply to this contract:
 - (a) Workers' compensation and employers' liability: Contractors are required to comply with applicable Federal and State workers' compensation and occupational disease statutes. If occupational diseases are not compensable under those statutes, they shall be covered under the employer's liability section of the insurance policy, except when contract operations are so commingled with a Contractor's commercial operations that it would not be practical to require this coverage. Employer's liability coverage of at least \$100,000 is required.
 - (b) General Liability: \$2,000,000.00 per occurrences.
 - (c) Automobile liability: \$200,000.00 per person; \$500,000.00 per occurrence and \$20,000.00 property damage.
 - (d) The successful bidder must present to the Owner, prior to award, evidence of general liability insurance without any exclusionary clauses that would void the general liability coverage
 - (e) Owner, Architect and Engineer shall be added as an additional insured.

VENDOR'S RESPONSE

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Having carefully examined the specifications, the undersigned proposes the following:

Name of Vendor _____

Address _____

City _____ State _____ Zip _____

Telephone Number _____ Date _____

Submitted by: _____

Signature: _____

Proposal Opening, 10:30 am Thursday 05/05/2023
5800 Metropolitan Ave. Kansas City, KS 66106

Bid

Cost of installation not to exceed without signed change order for the amount of \$ _____

Written dollar amount of not to exceed _____
