



BID #22-019

ICARE/ECAP PLAYGROUND

BIDDERS ARE REQUESTED TO RETAIN THESE INSTRUCTIONS, CONDITIONS, AND SPECIFICATIONS FOR FUTURE REFERENCE. ONCE AWARDED THIS IS YOUR CONTRACT DOCUMENT.

Bid Opening Date: **June 9, 2022**
Bid Opening Time: **1:00 PM.**

Bid must be delivered to: Elmore County Board of Education
Attn: BID #22-019
100 H. H Robison Drive
Wetumpka, AL 36093

Late bids will not be opened.

Delivering bids to other locations within the Elmore County School system for forwarding to the Central Office is not acceptable.

Check online for modifications to bid. Notices will be posted, not mailed. It is your responsibility to check this site daily until the deadline for changes 48 hours prior to bid opening. <https://www.elmoreco.com/RFP>

I. GENERAL INFORMATION

- A. All bidders must use our form for submitting their bid.
- B. All bids must be sealed and marked in the lower left-hand corner “**ICARE/ECAP PLAYGROUND**” with bid number **22-019**, opening time and date. Late bids will not be opened.
- C. The Elmore County Board of Education is tax exempt under State and Federal law. Bids will not include State Sales Tax, Federal Excise Taxes, or any other fee.
- D. Records showing successful bidder(s) and prices quoted will be placed on file and may be examined upon request. If the contract is awarded to someone other than lowest bidder, a note of explanation will appear in the bid file.
- E. Although the System is seeking bids on specific services, the use of trade names should be interpreted as establishing a standard of quality and shall not be construed as limiting competition.
- F. **All bidders must submit a Bid Bond at the time of the bid opening. The bid bond should be in the amount of 5% of the total project or \$10,000.**
- G. **The vendor(s) chosen to complete the work must submit a Performance Bond and a Payment Bond within 15 days of the contract being submitted to the bidder for signature. The performance bond is to be in the amount of 100% of the contract and must be from an Alabama bank or surety company. The payment bond is in the amount of 50% of the contract plus reasonable attorney’s fees.**



II. DISQUALIFICATION OF BIDS

Bids may be disqualified before the awarding of the contract for any of the following:

- A. Failure to mark envelope as required.
- B. Failure to sign or notarize the bid document.
- C. Failure to include requested information or other details of the bid.
- D. Excessive errors.
- E. Failure to provide required Bonds.
- F. Failure to provide E-Verify documents.
- G. Failure to have an original signature on the bid form, a faxed copy is not acceptable.

III. SPECIAL TERMS AND CONDITIONS

PURPOSE: The purpose of this bid is to contract with qualified firm(s) or individual(s) to perform in accordance with bid requirements and specifications to provide the Elmore County Schools Temporary Special Education Playground additions at the schools as indicated and specified below.

- A. **EVALUATION SCHEDULE:** The bids will be initially evaluated for conforming to the requirements of the Bid.
- B. **TERMS OF AWARD(S):** It is the intent of the school district to issue a contract for the projects as indicated in the scope of services. Awards will not be made based on price alone.
- C. Any deviations from the general terms and conditions or exceptions taken shall be described fully and appended to the bid form on the vendor's letterhead over the signature of the person signing the bid form. Such appendages shall be considered part of the vendor's formal bid. For the absence of any statements of deviation or exception, the bid shall be accepted as in strict compliance with all terms and conditions.
- D. If a vendor receives a bid award, an order is placed and vendor is unable to meet the delivery requirements, meet service requirements, or material that meets the Districts needs as outlined in the Request for Bids, or is unable to hold bid price, or fails to provide product or service within a reasonable period of time, AND/OR fails to provide product complying with bid specifications, as determined by the District, the District reserves the right to go to the next responsible bidder that meets bid specifications. If the bid item delivered does not meet specifications or is received in an unsatisfactory condition and is in a damaged or unusable condition, or if service is unsatisfactory, vendor must pick up item immediately, and replace to each district's satisfaction at no additional charge, or issue full credit, for service a return visit must be rescheduled within 24 hours. Rejected items must be removed from the district's premises by the vendor upon verbal notification.



- E. **PRICE CLAUSES:** Prices shall be firm for the initial term of the contract. Prices as stated must be complete for the services offered and shall include all associated costs. DO NOT include sales tax on any item in the bid. Your firm is to indicate the cost of each service.
- F. **EVALUATION:** Award(s) will be made to the responsive and responsible bidder(s) whose bid(s) is (are) determined in writing to be most advantageous to the Elmore County Schools.

Evaluation criteria is listed below in the relative order of importance:

- Qualifications of the Bidder, financial and otherwise, to provide the District with these services required in the required period of time, provide appropriate staffing to meet deadline, provide necessary resources and show a history of demonstrated competence.
- Assessment of the Bidder's abilities to meet and satisfy the needs of the District, taking into consideration additional services, or expertise offered, that exceed the requirements, or the bidder's inability to meet some of the requirements of the specifications.
- Cost – While cost is a significant factor in considering the placement of the awards, it is not the only factor. The award will not be based on price alone, nor will it be based solely upon the lowest fees submitted.
- Past performance of work with Elmore County Schools and other school districts within the state of Alabama.
- Information obtained by the District from Bidder's references or other clients.
- Responsiveness of the bid in clearly stating and understanding the scope of work, and in meeting the requirements of the RFP.
- Dedicated person on site to lead installations of projects.
- Ability to offer the best quality and quantity of ADA compliant equipment and access to the equipment at each site. The focus is the equipment, but we also want to see pricing on the surfacing and shade options.
- Each local school PE Coach is the local point of contact and can provide you with their vision for that school.

E. **BONDS**

Each bidder must provide a Bid Bond, Performance Bond, and a Payment Bond to be considered in compliance. The Bid bond must be submitted at the time of your bid opening (along with your E-verify information). **If your company is part of a nationwide purchasing cooperative then these items are not required.

IV. **PROPRIETARY/ CONFIDENTIAL INFORMATION**

Each bidder is to indicate in his or her bid if anything is proprietary or confidential in nature.

V. **INFORMATION ABOUT OUR DISTRICT**

The Elmore County School District consists of 15 schools, PreK-12 and 3 alternative program sites. Enrollment is currently 11,250 students with moderate growth predicted for the next several years.



VI. PROJECT SPECIFICATIONS

In this bid we are looking for proposals for playground equipment and playground layout designs. The focus of the design is to add in as much equipment as possible within budget. Two features that need to be incorporated are swing sets and climbing structures. The design can may include pricing for surfacing, and shade structures; but these are not the focus of the project and outside the scope of the fund available. However, we do want that included as a separately listed price to see if it is something that we may be able to add to the projects using other funds. These areas will be in use for students in grades 2-12. We are accepting bids for the following school: ICARE/ECAP. *(Please see attached listing for the contact at the school)

Again, the focus of each bid should focus upon swing sets and climbing structures, but other prices may be provided for other areas of consideration such as surfacing, shade, access walkways, etc. Please detail out all your pricing scenarios in your proposals so that those can be considered. Also be very detailed in your display and explanation of discounts listed.

It is highly encouraged that on-site visit take place to campus, as well as phone conversations with the school point of contact take place to ensure proper proposals are submitted.

VII. INCLUDE WITH YOUR BID THE FOLLOWING INFORMATION AS "EXHIBIT B":

- A. Length of time your firm has been in business under their current name.
- B. Length of time your firm has been doing business in Alabama.
- C. Length of time your firm has been providing services offered to schools.
- D. All bidders must demonstrate the willingness and capability of services as specified within this RFP.
- E. All bidders must include a list of three (3) schools in Alabama for references that have used this vendor's services and the time period used. Any customer listed for reference must be currently operating under an identical or substantially similar service to the proposed. For each reference indicate name of the district, address, contact person, telephone number and date the service began.

VIII. REGISTERED SEX OFFENDER RESTRICTION

Pursuant to this Bid, the successful bidder by acceptance of award and a purchase order, agrees by acceptance, that no employee of the successful bidder or a sub-contractor of the successful bidder, who has been adjudicated to be a registered sex offender, will perform work on District premises or equipment at any time when District students are, or are reasonably expected to be, present. The successful bidder further agrees by acceptance of this order that a violation of this condition shall be considered a material breach and may result in a cancellation of the contract at the District's discretion.

IX. OVERVIEW OF SERVICE EXPECTATIONS

Successful Bidder must be able to:

1. Be able to provide responsible bid response that meets RFP requirements.



2. Provide an on-site project manager.
3. Provide quality equipment and services that meet ECBOE and federal IDEA standards.
4. Provide ADA and IDEA regulated playground equipment, surfacing, and some shade structures for each playground project.
5. Each bid should be broken down by school as one price, and if inclined, a separate price listed for all projects to be awarded together.
6. Provide employees that are E-verified and will submit to district background tests to be allowed on campuses.
7. Provide proposals that meet the ideas and needs of the ECBOE staffs on campus, as well as those at the CO.

X. SCREENING REQUIREMENTS*

- A. Bidder will comply with the school district's local screening requirements for non-instructional personnel including criminal background check requirements.
- B. Each contractor shall warrant compliance with all federal immigration laws and regulations that relate to their employees and that they have verified employment eligibility of each employee through the E-Verify program. The contractor shall acknowledge that a breach of the warranty shall be deemed a material breach of the contract subject to penalties up to and including termination of the contract.

XI. ALABAMA IMMIGRATION LAW

- A. The Beason-Hammon Alabama Taxpayer and Citizen Protection Act includes several sections that affect the financial operations of Alabama School boards.
- B. Effective April 1, 2012, every business entity or employer doing business in Alabama is required to enroll in E-Verify* and follow the related federal law and regulations for verifying the employment eligibility of newly hired employees using the E-Verify program. {See Section 31-13-15(b)}

**If you are an out-of-state employer with NO EMPLOYEES located in the State, then registration in E-Verify is not required, but a statement to such is required.*

- C. Two other sections of the law require business entities and employers with one or more employees working in Alabama to utilize the E-Verify program for newly hired employees as a condition of a contract, grant, or incentive awarded by a public entity on or after January 1, 2012 through the competitive bidding process. {See Section 31-13-9(a) & (b) and Section 31-13-25(b)}.
- D. Alabama laws (see Title 31, Chapter 13 of the Code of Alabama 1975) require that, as a condition for the award of a contract* by a school board to a business entity or employer with one or more employees working in Alabama; the business entity or employer must provide documentation of enrollment in the E-Verify program. During the performance of the contract, the business entity or employer shall participate in the E-Verify program and shall verify every employee that is required to be verified according to the applicable federal rules and regulations. The contractor's E-Verify Memorandum of understanding must be included with the bid. If you do not believe these requirements are applicable to your entity, include an explanation justifying such exemption. An entity can obtain the E-Verify Memorandum of understanding upon completion in the E-Verify enrollment process located at the federal web site www.uscis.gov/everify. The Alabama Department of Homeland Security (<http://immigration.alabama.gov>) has also



established an E-Verify employer agent account for any business entity or employer with 25 or fewer employees that will provide a participating business entity or employer with the required documentation of enrollment in the

E-Verify program. An Employer Identification Number (EIN), also known as a Federal Tax Identification Number, is required to enroll in E-Verify or to establish an E-Verify employer agent account.

**Act 2012-491 defines the term contract as, "...a contract awarded by the state, any political subdivision thereof, or any state-funded entity that was competitively bid..."*

- E. If you have not previously supplied evidence of compliance with the Alabama Immigration Law to the Elmore County Schools, you will need to submit evidence with your bid response through the completion of Exhibit A and any necessary attachments.

Submission

Be sure you have read this bid carefully. Be sure to provide all additional information requested.

Failure to include information in your package may result in your proposal being rejected.

If you have any questions regarding any requirement, including the Alabama Immigration Law requirement, you must contact us for clarification. If you notice errors in the bid, you must contact us 72 hours prior to bid opening so that corrections can be posted for all bidders.

Exhibits A & B **must** be included in your bid package.

Use the Following Method of Delivery

Address

ELMORE COUNTY BOARD OF EDUCATION
ATTN: BID #22-019 "ICARE/ECAP PLAYGROUND"
100 H. H. Robison Drive"
Wetumpka, AL 36092

**Note: Late bids will not be opened and will be disqualified.
Please put Bid Number 22-019 on outside of mailing envelope.**



EXHIBIT A
ALABAMA IMMIGRATION LAW COMPLIANCE NOTIFICATION

All Vendors wishing to submit bids must be able to provide The Elmore County School System with evidence of their compliance with the Alabama Immigration Law as described in Section XII of this bid.

Please respond to the following and submit this form with your bid.

Failure to properly execute this exhibit must be considered grounds for rejecting this bid.

_____ I have read and understand the expectations for materials which will demonstrate compliance with the Alabama Immigration Law.

_____ I understand that any award is contingent upon receipt of all materials necessary that demonstrate compliance.

_____ This company has no operations or employees within the state of Alabama, therefore the Alabama Immigration Law requirements do not apply. However, should this company be awarded this contract, and should this company later employ individuals in the state of Alabama, this company will comply with and submit all necessary documentation for compliance with this law.

Or

_____ This company has already submitted all necessary documents to The Elmore County School System Accounting Department which verify compliance with the Alabama Immigration Law.

Or

_____ This company meets the requirements for compliance with the Alabama Immigration Law and has included the necessary materials within this bid response.

Company: _____

Address: _____

Telephone Number: _____

Fax Number: _____

Name (Print or type): _____

Title: _____

Signature: _____



EXHIBIT B

COMPANY BACKGROUND, BILLING POLICY, WARRANTY OR GUARANTEE, AND REFERENCES

As is outlined in Section V of the Bid Specifications, please address the following questions.

- 1. The length of time your company has been doing business under its current name.**

- 2. The length of time your company has been doing business in the State of Alabama.**

- 3. The length of time your company has been conducting business with school systems.**

- 4. In the space below, please indicate your company's warranty or guarantee as it relates to the services under this bid.**

- 5. In the space below, please indicate your company's billing policy.**



EXHIBIT B (Continued)

COMPANY BACKGROUND, BILLING POLICY, WARRANTY OR GUARANTEE, AND REFERENCES

6. Please provide up to three (3) current Alabama references that we may contact. All fields must be complete.

1. Company: _____

Address: _____

Contact Person: _____ Phone #: _____

Email: _____ Date service began: _____

2. Company: _____

Address: _____

Contact Person: _____ Phone #: _____

Email: _____ Date service began: _____

3. Company: _____

Address: _____

Contact Person: _____ Phone #: _____

Email: _____ Date service began: _____

4. Company: _____

Address: _____

Contact Person: _____ Phone #: _____

Email: _____ Date service began: _____

5. Company: _____

Address: _____

Contact Person: _____ Phone #: _____

Email: _____ Date service began: _____



Local School Contact Information

- **ICARE/ECAP – 124 Chapel Road, Wetumpka, AL 36092**
Blair Andress – 334-514-1298 – blair.andress@elmoreco.com