



BESSEMER CITY
SCHOOLS
Teaching Effectively, Leading Successfully

1621 5TH Avenue North
Post Office Box 1230
Bessemer, Alabama 35021
Phone: (205) 432-3000 Fax: (205) 432-3085

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CAFETERIA DESIGN AND FURNITURE ITB-2024-79

The Bessemer City Board of Education will accept bids for the following project for the school system's Child Nutrition Program, according to the specifications set forth in this bid request:

Bessemer City High School Cafeteria Wall Graphics (only)
Bessemer City Middle School- Cafeteria Furniture, Paint and Wall Graphics
Westhills Elementary School - Cafeteria Furniture and Paint

Bidders should provide service to all schools in the Bessemer City School system.

All Sealed Bids Will Be Received By The Finance Department located At Bessemer City Board Of Education, 1621 5th Avenue North, Bessemer, AL 35020, until 10:00 a.m. on/before Thursday, July 16th, 2024. Bids will be opened and read publicly promptly on Thursday, July 16th, 2024, at 1:30 p.m., in the Boardroom at the Bessemer Board of Education. All respondents are required to submit three (3) copies of their bid. All sealed bids must be received via mail or hand delivery to:

Bessemer Board of Education
Cafeteria Design and Furniture - ITB-2024-79
ATTN: Patricia Stewart, CSFO, Finance Department,
1621 5th Avenue, Bessemer, AL 35021

Please note any requirements listed on the response form and bid specification sheet.

Due to the interior paintwork, a site inspection is required for Bessemer City High School. To arrange a pre-bid visit please contact Sharon Sanders at 205-645-3608. This will be a turn-key project covering all aspects of production, painting, application, and installation by the successful vendor. Bessemer City Schools reserves the right to award the bid based on budgetary limits approved by the Alabama State Department of Education.

Items in this bid will be awarded to one vendor.

Bidders are to use the bid response form included in this packet and guarantee the quality of work to or

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exceed specifications set forth in this bid request.

Each party shall follow the procedure outlined below if a contract is to be terminated. All transactions shall be sent by Registered or Certified mail.

Step 1: Issue warning letter and outline violations and length of time allowed to correct the problem.

Step 2: Issue a letter of intent to cancel contract if the problem is not resolved by a given date.

Step 3: Issue letter to cancel contract.

It is not the policy of the Bessemer City Board of Education to purchase on the basis of low bid only. Quality, conformity with specifications, purpose for which required, terms of delivery, transportation charges, and dates of delivery are factors which may be used to determine the low responsible bidder. Bidders must abide by the provisions of the Americans with Disabilities Act of 1990 in order to provide goods or services to the Bessemer City Board of Education.

Section 9 of the Alabama Immigration Act No. 2011-535

(<http://www.ago.state.al.us/File-Immigration-AL-Law-2011-535>) requires contractors provide the Alabama Department of Education with an **Affidavit of Immigration Compliance and the contractor's E-Verify Memorandum of Understanding** as a condition of the award of any contract. **These two documents must be included with the bid.** If you do not believe these requirements are applicable to your entity, include an explanation justifying such exemption. A contractor can obtain the E-Verify Memorandum of Understanding upon completion in the E-Verify enrollment process located at the federal website www.dhs.gov/e-verify.

All items in the bid shall be awarded to one vendor on the basis of lowest total price with all standards of quality for each item as described being met. Bidder is to quote prices on all items listed. A bid that does not contain a price for each item may not be considered.

Payment will be made by the school system upon receipt of invoice, inspection, and acceptance by a designated employee of the Bessemer City Schools system.

The Bessemer City Board of Education reserves the right to reject any and all bids and to award the bid in a manner deemed to be in the best interests of the Bessemer City School system. In the event that any provisions of the bid award or written contract emanating from the award is in conflict with Alabama's bid law, the bid award and resultant contract are declared null and void.

All inquiries pertaining to this bid proposal should be directed to Sharon Sanders, Child Nutrition Program Director, at (205) 645-3608 from 7:30 a.m. until 4:00 p.m., or email Shsanders@bessk12.org.

The vendor's representative must complete and sign the following documents:

- Vendor Certification page
- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Transactions
- Affidavit of Alabama Immigration Compliance signature page
- Notice of Alabama Immigration Law Compliance Requirements to all Contractors
- E-Verify Memorandum of Understanding
- Required Federal Provisions for Procurement in CNP Programs

Envelopes containing bids should be sealed and clearly marked on the outside, **"CNP Cafeteria Design and Furniture Bid ITB-2024-711", due Thursday, July 16, 2024, at 10:00a.m.** Bids should be mailed or

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hand-delivered to the following address:

Bessemer Board of Education
Cafeteria Design and Furniture - ITB 2024-79
ATTN: Patricia Stewart, CSFO, Finance Department,
1621 5th Avenue, Bessemer, AL 35021

Any bids delivered after 10:00 a.m., on July 16th, 2024 will be filed and kept unopened.

GENERAL INSTRUCTIONS TO BIDDERS

Listed below are instructions to bid on Cafeteria Design and Furniture for the Child Nutrition Program of Bessemer City Schools:

1. All bid quotations shall include delivery and installation under conditions specified.
2. Sealed bids may be mailed or hand-delivered to: Bessemer Board of Education, ATTN: Patricia Stewart, CSFO, Finance Department, 1621 5th Avenue North Bessemer, AL 35020
3. **Bids are due Thursday, July 16, 2024, at 10:00 a.m.**, at which time all bids will be opened and read publicly at 1:30 p.m., on July 16th, 2024.
4. No oral, telegraphic, or telephone proposals or modifications will be accepted. The bidder, before submitting a proposal, shall carefully examine the specifications to be fully informed as to all conditions and limitations.
5. Unit cost prices are not to exceed two decimal places. The decision of the Bessemer City Board of Education will be final on any question of pricing.
6. USDA regulations prohibit schools from paying service charges and/or interest. Vendors are thus prohibited from making such charges.
7. All prices submitted in this proposal are to be delivered prices and shall not include any state or local taxes. Bessemer City Schools is not liable for Federal Excise or State Sales Tax.
8. The bid will be awarded to the lowest and most responsible bidder meeting all requirements of the identifications listed herein.
9. Any requests for substitutions to the items listed in this Invitation to Bid must be received and approved by the Director of Child Nutrition by **Thursday, July 8, 2024**. Reasons for requesting the substitution must be specified in comparison to the specifications of this bid document. A copy of any approved substitutions will be sent to all vendors in an amendment.
10. All bidders must make proposals in accordance with the requirements and specifications and on the enclosed proposal form, or the bid will not be considered.

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11. The Board reserves the right to award the bid in any manner that will best serve the needs of Bessemer City Schools.
12. A schedule of delivery will be developed with the successful bidder that will meet the requirements of the Child Nutrition Program.
13. In the event two or more vendors bid the same price for an item, the right is reserved to award the item to the vendor last serving the school system with that item.
14. By submitting bids, all distributors agree to and accept the provisions of the specifications and considerations.
15. Delivery persons shall neither solicit business nor sell to individuals on school premises.
16. Successful vendors will be responsible for damage to buildings and grounds that are a direct result of carelessness of the personnel contracted to work on this project.
17. All bidders must make proposals in accordance with the requirements and specifications and on the enclosed proposal form, or the bid will not be considered.
18. Bids delivered in Federal Express, UPS, or any other such deliverer's envelope shall be sealed in a separate envelope inside the deliverer's packaging. The bid name, number, and bid opening date shall be written on the outside of the deliverer's envelope. Failure to do this may cause the bid to be inadvertently opened and thus rejected.
19. The bidder offers and agrees to furnish all items upon which prices are quoted, at the price set for each item, in the quantity as stated on the bid, delivered to the various destinations, in amounts ordered.
20. Bessemer City Schools reserves the privilege to re-bid or renegotiate any item(s) if price(s) are beyond the amount anticipated or negotiations are unsatisfactory.
21. Code of Conduct: Bessemer City Schools Child Nutrition Program prohibits an employee, officer, or agent from soliciting gifts, travel packages, and other incentives from prospective contractors; prohibits an employee, officer, or agent from participating in the selection, award, and administration of any contracts supported by a federal award if the employee has a real or apparent conflict of interest; sets standards for situations when the financial interest is not substantial or a gift is an unsolicited item of nominal value and may be acceptable; and establishes disciplinary actions to be taken in the event the standards are violated.
22. Buy American: Section 104(d) of the William F. Goodling Child Nutrition Reauthorization Act of 1998 (Public Law 105-336) added a provision, Section 12(11) to the National School Lunch Act (NSLA) (42 USC 1760(11)), requiring school food authorities (SFAs) to purchase, to the maximum extent practicable, domestic commodities or products. This Buy American provision supports the mission of the Child Nutrition Programs, which is to serve children nutritious meals and support American agriculture.
23. All inquiries regarding this Invitation to Bid shall be directed to the CNP Director through e-mail or phone: Sharon Sanders, CNP Director, Bessemer City Schools, 1621 5th Avenue, Bessemer, AL 35021, shsanders@bessk12.org, (205) 645-3608.

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24. Non-Discrimination Statement:

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity* and sexual orientation*), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: [USDA Program Discrimination Complaint Form](#) from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD--3027 form or letter must be submitted to USDA by:

- I. **Mail:** U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue,
SW Washington, D.C. 20250-9410; or
- 2. Fax: (202) 690-7442; or**
- 1. Email: program.intake@usda.gov.**

This institution is an equal opportunity provider.

*The enclosed "non discrimination" language herein was added pursuant to the May 5, 2022, USDA memorandum. However, although included as currently required for audit compliance by the USDA, the State of Alabama objects to its **inclusion, applicability** and the **application** of this language due to currently pending legal challenges in the matter of *The State of Tennessee, et al. v. USDA, et al.*, Case No. 3:22-cv-00257, and may be subject to change or removal.

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DOCUMENT CHECKLIST

All Required Items should be attached to the complete bid

1. Cover Page (Include in a packet)
2. Vendor Certification
3. E-Verify Memorandum of Understanding or explanation of exemption and signature
4. Completed and signed "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions" form
5. Required Federal Provisions for Procurement in CNP Programs
6. Vendor Guideline for Working in Bessemer Board of Education
7. Complete and signed "Cafeteria Design and Furniture Total Bid Amount" form
8. Signed "Smoking and Non-Use of Tobacco Products on School Property" form

The vendor should retain a copy of the completed bid for their company's records.

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**COVER PAGE
BID# ITB2024-79**

CAFETERIA DESIGN AND FURNITURE

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VENDOR CERTIFICATION - CAFETERIA DESIGN AND FURNITURE

In compliance with your invitation to bid on the items listed in this bid document, the undersigned proposes to furnish Bessemer City Schools **Cafeteria Design and Furniture** in accordance with the terms and conditions listed in the instructions to bidders.

Bids will be opened **on Thursday, July 16th, 2024, at 1:30 p.m.** The Bessemer Board of Education reserves the right to reject any or all bids and to waive informalities in awarding this bid to the lowest responsible bidder. The entire bid will be awarded to one vendor.

I certify by my signature below that the costs quoted in this bid are correct and that I have the authority to obligate the company to perform under the conditions outlined in the attached Invitation to Bid specifications.

Signature: _____

Type or Print: _____

Name: Title: _____

Date Submitted: _____

Name of Company: _____

Mailing Address: _____

Telephone: _____

E-mail address: _____

**Bessemer City Schools
Cafeteria Design and Furniture**

**Certification Regarding Debarment, Suspension, Ineligibility,
and Voluntary Exclusion - Lower Tier Covered Transactions**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7CFR Part 3017, Section 3017.510, Participant's responsibilities. The regulations were published as Part N of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency with which this transaction originated.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS)

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Organization Name

PR/Award Number or Project Name

Name(s) and Title(s) of Authorized Representative(s) (please print)

Signature

Date

Bessemer City Schools Cafeteria Design and Furniture

Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, continued Instructions for Certification

1. By signing and submitting this form, the prospective primary tier participant is providing the certification set out on the form in accordance with these instructions.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out on this form. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department determined to enter into a transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause.
4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "Voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to whom this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this form that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determined the eligibility of its principals. Each participant may, but is not required to, check the Non Procurement List.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person, in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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**CAFETERIA DESIGN AND FURNITURE
TOTAL BID AMOUNT**

BID AMOUNT FOR OPTION 1: Furniture

Item 1: Bessemer City High School: \$ _____

Item 2: Bessemer City Middle School: \$ _____

Item 3: Westhills Elementary School: \$ _____

Extended Cost for All Schools: \$ _____

BID AMOUNT FOR OPTION 1: Graphics

Item 1: Bessemer City High School: \$ _____

Item 2: Bessemer City Middle School: \$ _____

Extended Cost for All Schools: \$ _____

BID AMOUNT FOR OPTION 1: Painting

Item 1: Bessemer City Middle School: \$ _____

Item 2: Westhills Elementary School: \$ _____

Extended Cost for All Schools: \$ _____

TOTAL BID AMOUNT: _____

Vendor: _____

Contact Person (please print): _____

Telephone: _____

Signature: _____

Date: _____

THIS BID MUST BE
NOTARIZED

_____ Day of _____, 2023

Notary Public

ALABAMA STATE LICENSE NO. _____

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Compliance with Bonding Requirements:

Under the Alabama Bid Law, it is required for any contract exceeding \$10,000.00, that the bidder submits with his bid, either a certified check, a cashier's check, or a bid bond payable to the Bessemer Board of Education in an amount (subject to a maximum of \$10,000.00 equal to five percent (5%) of the bid). All bids must comply with the State Bid Law. The successful bidder may be required to furnish a performance bond in the amount of 100% and not less than 50% of the contract price.

The amount of bid bond or check that is being enclosed is \$ _____

Bonding Company: _____

Authorized Signature

Title

Date

**Bessemer City Schools
Cafeteria Design and Furniture**

DEVIATION FORM

If the undersigned bidder intends to deviate from the specifications, the bidder must fully document and list each deviation in complete detail, including reasons for the deviation. General statements may not be acceptable.

If no deviations are submitted, the bidder assures the buyer of full compliance with the specifications and conditions and ensures the buyer that the samples accompanying the bid meet all specifications.

ANY DEVIATION FROM PUBLISHED SPECIFICATIONS MUST BE IDENTIFIED ON THIS DEVIATION FORM. FAILURE TO ABIDE BY THIS REQUEST MAY RESULT IN A BIDDER BEING DISQUALIFIED.

Authorized Signature

Title

**Bessemer City Schools
Cafeteria Design and Furniture**

**Vendor Guidelines
for Working with
Bessemer Board of Education**

- **NO weapons on school grounds.**
- **NO illegal substances on school grounds.**
- **NO smoking or vaping on school grounds.**
- **Face covering will be worn at all times until further notice from the Superintendent • Visible identification is required at all times.**
- **Sign in upon arrival and sign out on departure.**
- **NO contact or communication with students.**
- **Appropriate language is used at all times.**
- **NO cell phones/pagers occupied in classrooms.**
- **Contract information and bid specifications furnished to the Finance Department.**
- **Work schedule furnished to the Chief School Finance Officer before starting the job/project.**
- **Project completion date furnished to Chief School Finance Officer.**
- **Advance notice is given of after-hours work, including areas to which access is needed. • All equipment and physical plant left DAILY in good working order and securely locked.**
- **Work debris removed DAILY by vendor.**
- **School equipment is replaced in the original location.**

Authorized Signature

Date

Bessemer City Schools
Cafeteria Design and Furniture

SMOKING AND NON-USE OF TOBACCO PRODUCTS
ON SCHOOL PROPERTY

To promote the welfare of the young people entrusted to its care and in recognition of the acknowledged harmful effects of cigarettes and other tobacco products both to the smoker and those around him/her, the Board prohibits smoking and the use of other tobacco products in all buildings of the Board at all times.

Smoking and the use of other tobacco products are prohibited on the grounds of all Bessemer Board of Education facilities at any time.

The policy applies to students, employees of the Board, and to visitors on the property of Bessemer City Schools. Smoking and tobacco usage policies and sanctions, which are a part of the Code of Student Conduct, are extensions of this policy and are not limited by its scope. Employees in violation of this policy will be reprimanded.

LEGAL REF.: Code of Alabama§ 16-1-30. Alabama Administrative Code, 290-030010-06, Regulations Governing Public, Non-Public Accredited and Non-Accredited Schools

Company Name

Street Address

Name and Title of Authorized Representative

City, State, Zip

Bessemer City Schools
Cafeteria Design and Furniture

Cafeteria Design and Furniture Table Layout/Design Request for Quotes

Scope of Work:

Option 1: Furniture (Bessemer City Middle School; Westhills Elementary School)

1. The quote should include new cafeteria seating for this lunchroom seating area with wall graphic designs included in the package. Each vendor should submit a minimum of (2) different package designs.
2. This design is specifically for the seating area of the lunchroom only.
3. The new cafeteria package should have a minimum seating capacity of 325 students/staff. ADA compliance must be considered in the design packages as it relates to spaces between tables.
4. School colors should be utilized in the designs submitted and reflect school pride.
5. Table design is the priority of this package, however updated wall graphic design in the cafeteria eating area to promote an eating environment that is age appropriate is requested as well.
6. Seating to incorporate a combination of bench style and square/rectangular stools for all tables in the design package with the largest stool model provided and we want the accent guard as well. (no round stools) Preferred style is the AmTab 14” Stool or Pre-Approved Equal. We will also accept Bench Style seating.
7. Seating should reflect school color
8. All tables in every design should be able to be folded with seating attached for ease of moving out of the way for cleaning at the end of the workday.
9. Stool support posts are preferred to be square from stool to floor to prevent rotational movement of the stool seat.
10. High pressure laminate and all table edges preferred to have the “Dyna Rock” that is the most durable edge available.
11. All tables in the design package must have a center gravity lock bar, tamper proof expansion rivets, and lift assist for ease of lifting tables.
12. The entire project may commence at the end of the summer but must be completed by October 27, 2024.
13. As a reminder each vendor’s submission should have a minimum of (2) two design options.
14. All the warranties should be applied and provided as part of the package and noted in quotes. Minimum of 15 Year Warranty with Limited Lifetime Warranty.
15. All quotes are due Jul 16, 2024 and will not be based on price alone as a scoring rubric will be used.
16. All questions related to the table design package should be submitted to the CNP Director.
17. Designs can be submitted via email, hand delivered or sent via postal mail but quotes must be received by the aforementioned deadline.

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Option 2: Graphics (Bessemer City High School and Bessemer City Middle School)

1. Owner is requesting graphics as in the attachment. Any deviations from the graphic must be pre- approved by the owner,
2. Any deviations from the attached graphics submitted by the bidder must be pre-approved by the owner.

Options 3: Painting (Bessemer City Middle School and Westhills Elementary School)

1. Painting should be the same color as existing.
2. Recommended for bidder to field measurements to match the existing color and as well as to determine the adequate painting supplies.
3. Bidder is to remove all debris and discard it upon completion.

Scoring Rubric

<u>Feature</u>	<u>Possible Points</u>
Cost	40
Overall Design aesthetics	30
Overall design maximization of space and seating capacity	10
Durability and Quality of furniture & artwork	10
Durability and Quality of renderings	10
Quality and Detail of renderings	10
<u>Total</u>	100