



Request for *proposal*

**REPAIR PLAYGROUND SURFACES AT DISTRICT BUILDING
RFP# 2023-PUR-004**

**PROPOSALS MUST BE RECEIVED BY:
12:30 PM (CST) ON TUESDAY, FEBRUARY 28, 2023**

Please mark your sealed envelope **“RFP #2023-PUR-004 Repair Playground Surfaces at District Building Proposal”** and deliver to the following address and person:

Lisa Patrick
Purchasing Supervisor
Lisa_Patrick@idschools.org

201 N. Forest Avenue
Independence, MO 64050
816-521-5599 extension 61010

*All questions, requests for information or clarification pertaining to this bid must be submitted in writing to the above e-mail address. The deadline for questions is **Wednesday, February 15, 2023 at 2:00 PM (CST)***

It is the responsibility of interested firms to check the website: <http://sites.idschools.org/purchasing/bids-and-rfps> for any addendums or notices of information prior to the opening date and time of this RFP. All addendums must be signed and included with your submitted Proposal.



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 Repair Playground Surfaces at
 District Buildings
 Lisa Patrick
 Independence School District
 Facilities & Purchasing
 201 N. Forest Avenue
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 (816)521-5599 ext. 61010

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Proposal Due:
February 28, 2023
12:30 p.m.

1. Background

1.1. Notice

1.1.1. Independence School District (the “District”) seeks a contractor (“Contractor”) to perform repairs on district playground surfaces. If your firm is interested, please submit the information requested in this Request for Proposal (RFP) to the Independence School District office by 12:30 p.m. on February 28, 2023. All information necessary for the submittal is contained in this RFP.

1.1.2. *RFP Schedule – The timeline listed below is the District’s estimation of time required to complete the RFP process. All efforts shall be made to abide by this schedule; however, it is subject to change due to different circumstances.*

1.1.3. Issue RFP: February 3, 2023

1.1.4. **Pre-bid Meeting and Inspection of property your attendance is Mandatory in order to submit bid.** It will be held on February 13, 2023 at 9:00 a.m. held at Sugar Creek Elementary School 11424 Gill Street, Independence, MO 64054.

1.1.5. Deadline to submit written questions: February 15, 2023, 2:00 p.m.

1.1.6. Deadline to submit proposals: February 28, 2023, 12:30 p.m.

1.1.7. Vendor selection date: March 14, 2023, 6:00 p.m.

2. Description of Services (or Project)

2.1. Type

2.1.1. **Playground Surface Repair - See Attachment A for Specification**



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2.1.1.1. Install hot pour rubberized crack sealant in all cracks 1/2" or greater, not associated with alligating.

2.1.1.2. Apply a coat of Seal Master Ultra coal tar emulsion with four pounds of silica.

2.1.1.3. *Include any additional supplies needed*

2.1.1.4. Disposal (Provide dumpster), Removal Charges, Installation Charges, Freight and Delivery Charges.

2.1.2. *Substitutions*

2.1.2.1. *Substitutions must be noted on outside of BID envelope and be accompanied by documentation as to why it is comparable. A Sample must be provided and it is the sole discretion of the DISTRICT as to whether a substitute is equal or better.*

2.2. **Location**

2.2.1. **Sugar Creek Elementary School**

2.2.1.1. 11424 Gill Street, Independence, MO 64054

2.2.1.1.1. See specific areas in Attachment B

2.3. **Equipment**

2.3.1. *Provide all equipment to do project.*

2.4. **Inspection**

2.4.1. Contractor must visit site before submitting their proposal and be responsible for all measurements on the project. Contractor is responsible for exact measurements.

2.5. **Project Schedule**

2.5.1. Vendor selection date: March 14, 2023, 6:00 p.m. Board of Education Meeting

2.5.2. Contract date: March 15, 2023

2.5.3. Planned commencement of service (this date is based on last day of school): June 1, 2023. Specific location will be scheduled after contract awarded by working with Contractor and District.



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- 2.5.4. Planned substantial completion of service: Site specific agreed upon by District time PO is issued.
- 2.5.5. Planned final completion of service: Site specific agreed upon by District time PO is issued.

3. Scope of Services

3.1. Maintenance Coverage

3.1.1. Hours of service

- 3.1.2. District Buildings are available from 6:00 a.m. till 10:00 p.m. during non-student contact days.

3.2. Terms and conditions

- 3.2.1. Contractor is to provide tear out, disposal (& provide dumpster), protect existing flooring and installation to factory specifications as noted in their manufacturer specifications.
- 3.2.2. Exact styles, collection and colors will be picked by District after award of bid by winning Contractor.

3.3. Exclusions

3.3.1. Term

- 3.3.1.1. March 15, 2023 through August 12, 2023 with same pricing or agreed upon annual increase.
- 3.3.1.2. Renewals- Contractor is to hold prices good for a period of 1 year from the Start date of June 1, 2023.

3.3.2. Start date

- 3.3.2.1. June 1, 2023

3.3.3. Date of substantial completion

- 3.3.3.1. August 7, 2023

3.3.4. Date of final completion



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3.3.4.1. August 14, 2023

4. Required Insurance

4.1. Liability

4.1.1. \$100,000 per incident

4.1.2. \$300,000 per year

4.2. Workers Compensation

4.2.1. Statutory limits

4.3. Bond

4.3.1. Payment: Amount of Agreement

4.3.2. Performance: Amount of Agreement

5. Disclosures and notifications

5.1. Conflicts of interest

5.1.1. Proposal must state whether proposer has any professional, business, or familial relationship with any current member of the Board of Education of the District or with any administrator of the District.

5.2. Cooperative Procurement

5.2.1. Indicate whether, if the District accepted your proposal, you would provide the same products and services under the same prices and terms to any public school district or any other non-profit organization having membership Mid-America Council of Public Purchasing (MACPP), Mid-America Regional Counsel (MARC) or Greater Suburban Kansas City Joint Purchasing Cooperative (GSKCJPC) and/or located within the greater Kansas City metropolitan trade area.

_____YES_____NO SIGNATURE: _____

5.2.2. The prices, terms, and conditions of this RFP and any subsequent term agreement would control the terms of any subsequent agreement from date of contract for a period of not less than 1 calendar year.



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- 5.2.3. Organizations represented by MACPP, MARC or GSKCJPC have no obligation under the cooperative procurement agreement to use the RFP, proposal, or agreement unless they are specifically named in the RFP as a joint respondent.
- 5.2.4. The ordering jurisdiction will issue purchase orders and be responsible for all receiving, inspection, payments and other agreement administration.
- 5.2.5. Each jurisdiction that is a party to the joint proposal may act as Administrative Contracting Officer with responsibility to issue purchase orders, inspect and receive goods, make payments, and handle disputes involving shipment to the jurisdiction.

6. Contract terms

6.1. E-Verify

- 6.1.1. Missouri law requires all companies doing business under contracts greater than \$5,000 with government entities to attest that all their employees and subcontractor's employees are "lawfully present in the United States."

6.2. Prevailing Wage

- 6.2.1. Missouri law requires agreements to contain the following prevailing wage terms: "A wage of no less than the prevailing hourly rates of wages for work of a similar character in the locality in which the work is performed shall be paid to all workmen employed by or on behalf of any public body engaged in public works exclusive of maintenance work" (§ 290.220) and "Not less than the prevailing hourly rate of wages specified in wage determination as requested from the State shall be paid to all workers performing work under this contract" (§ 290.250). The contractor shall forfeit as a penalty to the State, County, City, and County, City, Town, District or other political subdivision on whose behalf the contract is made or awarded. Ten (\$10.00) Dollars for each worker employed, for each calendar day, or portion thereof such worker is paid less than the said stipulated rates for any work done under this contract by him or by any subcontractor under him. 290.250. All payroll records of the contractor are to be submitted to the School District, with the approved Prevailing Wage Statement, prior to final acceptance of the project.

6.3. Liquidated Damages



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6.3.1. The District may assess liquidated damages for work not completed as agreed upon for up to \$50 per day.

6.4. Applicable law

6.4.1. Missouri law will govern contracts entered into pursuant to this RFP.

6.5. Termination

6.5.1. The District may terminate contracts entered into pursuant to this RFP without cause upon 30 days' notice.

6.6. Compliance with laws and policies

6.6.1. Proposer must comply with all federal and state anti-discrimination laws.

6.6.2. All work shall be done in strict accordance with the provisions of the current edition of the building codes adopted by the City of Independence, Missouri and all city ordinances in effect during performance of this contract.

6.6.3. Contractor must be licensed to do business in the City of Independence.

6.6.4. All work shall meet or exceed the Americans with Disabilities Guidelines.

6.6.5. *A-133 Compliance Supplement:* The contractor must certify that they and their principals are not debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal Department or Agency.

6.6.6. *Excessive Unemployment:* The Missouri Department of Labor and Industrial Relations has determined that a period of "Excessive Unemployment" remains in effect and will remain in effect if the unemployment rate exceeds 5% in the state of Missouri. Only Missouri laborers and laborers from nonrestrictive states are allowed by law to be employed on Missouri's public works projects. (See Sections 290.550 through 290.580 RSM)

6.6.7. *AHERA Notification:* the District has completed the removal of friable asbestos in all District school buildings. In addition, all facilities have now been inspected by a certified



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asbestos inspector as required under the ASBESTOS HAZARD EMERGENCY RESPONSE ACT OF 1986 (ASHERA). A copy of the ASHERA Plan has been filed with the State of Missouri and a copy is on file with each building administrator. The ASHERA Plan is available for inspection during regular school hours.

6.6.8. OSHA Training: As a condition of the Contract entered pursuant to this RFP, a Contractor must provide a 10-hour Occupational Safety and Health Administration (OSHA) Construction Safety Program (“Program”) for Contractor’s on-site employees as mandated by RSMo 292.675. Said Program must include a course in construction safety and health approved by OSHA or a similar program approved by the Missouri Department of Labor and Industrial Relations. This requirement includes the following: All of Contractors’ on-site employees must complete the Program within 60 days of beginning work on the Project; Any employee found on the work site subject to this requirement without documentation of the successful completion of the Program will be given 20 days to produce such documentation before being subject to removal from the Project; Contractor’s failure to comply with these requirements will subject it to penalties. Contractor shall forfeit as a penalty to the Owner \$2,500.00 plus \$100.00 for each employee employed by Contractor or Contractor’s Subcontractor, for each calendar day, or portion thereof, such employee is employed to work under this Contract without the required training. Said penalty shall not accrue until the period in subsections 1 and 2 have elapsed. Contractor will be subject to said penalties notwithstanding any other provision to the contrary in this Construction Contract. Contractor shall require its contracts with all Subcontractors to contain these provisions. Contractor shall be responsible for penalties to Owner due to any Subcontractor’s employees’ failure to produce documentary evidence of training in the required Program. Contractor may withhold all sums necessary to cover any penalty from Subcontractor by suing in the circuit court of the county in which the project is located. Contractor shall have no right of recovery against Owner

6.6.9. Lead Paint Guidelines: After April 22, 2010, contractors and their individual crew members working in pre-1978 school buildings that are child occupied and residential properties will be required to obtain their Renovator Certification by an accredited EPA Training Provider.

6.7. Background Checks

6.7.1. Contracts entered pursuant to this RFP must require that all employees who have unsupervised interaction with students will be fingerprinted and background checked under the background checks required by the District’s Board Policies. Results of background checks of employees working directly with students must be provided to District. District reserves the



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right to refuse to allow any employee access to students if the employee completes no background check acceptable to the District.

6.8. Indemnity

6.8.1. The District will not agree to indemnify any contractor for its own negligence, for injuries or damages that do not arise from acts or omission of the District, or for injuries or damages for which the District has sovereign immunity.

6.9. Change orders

6.9.1. Change orders that exceed the greater of \$15,000 or 5% of the total originally contracted amount are subject to Board approval prior to performance of the work and are subject to re-bid. (See Board Policy 7210.)

6.10. Proposed contract

6.10.1. Proposals must include a copy of proposed contracts or service agreements if available or disclose terms required by the proposer of this RFP.

7. Interpretation, Questions, Withdrawal

7.1. Interpretation

7.1.1. The District will make no oral interpretations for proposers of meaning of the terms in this RFP.

7.1.2. Requests for interpretations to the meaning of this RFP must also be made in writing to Independence School District not later than 2:00 p.m., February 15, 2023 and failure by the successful proposer to do so shall not relieve the proposer of the obligations to execute such services under a later interpretation by the school district.

7.1.3. All interpretations made to the proposers will be issued in addenda to the RFP and will be posted on the ISD website ISDSchools.org and be the sole responsibility of the Bidder to obtain and acknowledge.



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7.2. Questions

7.2.1. Submit written questions to the following person:

Lisa Patrick
Purchasing Supervisor
lisa_patrick@idschools.org
201 N. Forest Avenue
Independence, MO 64050
816-521-5599 extension 61010

7.3. Withdrawal Questions

7.3.1. Any Contractor may withdraw his proposal prior to the scheduled closing time for receipt of proposals.

7.3.2. No proposal shall be withdrawn for thirty (30) days after the scheduled closing time for receipt of proposals.

8. Quote

8.1. Amount- U.S. Dollars

8.2. Rate- U.S. Dollars

9. Proposal submission and opening

9.1. Submission

9.1.1. Submit proposals in a sealed envelope marked "Repair Playground Surfaces at District Buildings PROPOSAL 2023-PUR-004" and deliver to the following address and person:

Lisa Patrick
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lisa_patrick@idschools.org
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9.2. Opening

9.2.1. The proposals will be opened and publicly read at the following location on the following date and time:

Date: February 28, 2023

Time: 12:30 p.m.

Location: Independence School District – Conference Room 2E
201 N. Forest Avenue
Independence, MO 64050.

10. Reservation of Rights *Submission*

10.1. ***INDEPENDENCE SCHOOL DISTRICT RESERVES THE RIGHT TO ACCEPT OR REJECT ANY OR ALL PROPOSALS AND WAIVE ANY INFORMALITY IN THE PROPOSAL OR REQUEST FOR PROPOSAL.***

11. Proposal Evaluation

11.1. *Award*

11.1.1. The contract will be awarded to the firm submitting the best responsible proposal complying with this RFP if the proposal is reasonable and in the best interest of the District to accept. The firm selected will be notified at the earliest practical date. The decision regarding acceptability of any firm’s qualifications/proposal shall remain entirely with the District, at the District’s sole discretion. The criteria for making this judgment will include but not be limited to price, demonstrated capability, past work completed and general responsiveness to the RFP.

11.1.2. The District notifies all proposers that minority business enterprises will be afforded full opportunity to submit proposals in response to this Request and will not be discriminated against on the grounds of race, color, or national origin in consideration of an award. Proposer agrees that should any person who performs work because of race, religion, color, sex, national origin, or ancestry.



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11.1.3. The District reserves the right to reject any or all proposals, to waive any informalities or technical defects in proposals, and unless otherwise specified by the District, to accept any item or groups of items in the proposal, as in the best interest of the District.

12. Acceptance Period

12.1. All proposal offers must be firm for 120 days to allow for a signed contract. After that, prices are to be good for 1 calendar year from the contract date of March 15, 2023 unless mutually agreed upon.



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Appendix A
FEDERAL WORK AUTHORIZATION PROGRAM AFFIDAVIT

I, _____, being of legal age and having been duly sworn upon my oath, state the following facts are true:

1. I am over twenty-one years of age; and know of the matters set forth.
2. I am employed by _____ (“Company”) and have authority to issue this affidavit on its behalf.
3. Company is enrolled in and participating in the United States E-Verify federal work authorization program regarding Company’s employees working in connection with the services Company is providing to, or will provide to, the District, to the extent allowed by E-Verify.
4. Company does not knowingly employ any person who is an unauthorized alien in connection with the services the Company is providing to, or will provide to, the District.

FURTHER AFFIANT SAYETH NOT.

By: _____
(individual signature)

For _____
(company name)

Title: _____

Subscribed and sworn to before me on this _____ day of _____, 202____.

NOTARY PUBLIC

My commission expires:



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Appendix B

REFERENCES AND EXPERIENCE

How many years has your firm been in business? _____ Years

List references and prior experience; preferably with other school districts or governmental agencies, in the last 3 – 5 year period; work or services in the same type and size to the project being proposed.

School District/Business _____

Address _____

Contact Person _____ Phone# _____

Description of services performed and completion date _____

School District/Business _____

Address _____

Contact Person _____ Phone# _____

Description of services performed and completion date _____

School District/Business _____

Address _____

Contact Person _____ Phone# _____

Description of services performed and completion date _____



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Appendix C

PERSONNEL QUALIFICATIONS

<p>Bidders are REQUIRED to provide the information below in FULL DETAIL.</p> <p>Indicate the person who will be supervising project and years of experience in similar work.</p> <p>Name: _____ Number of Years: _____</p> <p>Type of Experience: _____</p>		
<p>Complete the following for employees that would be working on this project. List any previous work directly relating to the scope of this project for other school districts and/or governmental agencies or private companies in the last five years. Attach a separate sheet of paper if needed.</p>		
EMPLOYEE NAME	QUALIFICATIONS	EXPERIENCE/TRAINING



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Appendix D

BID PROPOSAL SUBMISSION FORM – Repair Playground Surfaces at District Building

Proposal of _____ (hereinafter called "Bidder"), organized and existing under the laws of the State of _____, doing business as a corporation, a partnership, an individual (circle one) to the Board of Education, School District of Independence, Missouri (hereinafter called "Owner").

1. In compliance with your Advertisement for Bids, Bidder hereby proposes to perform all work for the *INDEPENDENCE SCHOOL DISTRICT – Repair Playground Surfaces at District Building*. In strict accordance with the Contract Documents, within the time set forth herein and at the prices stated below, bidder should propose on individual base bids for specific project locations as noted below. Owner will award contract per individual base bid.
2. By submission of this Bid, each Bidder certifies, and in the case of a joint Bid each party thereto certifies as to its own organization, that this Bid has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this Bid with any other Bidder or with any competitor.
3. Bidder acknowledges receipt of the following ADDENDA: _____.
4. The undersigned, having familiarized itself with local conditions affecting the cost of the work at the place where the work is to be done and with all Bidding Documents, including the Instructions to Bidders, Plans and Specifications, General and Supplementary Conditions, the Standard Form of Agreement and the other Contract Documents, and having examined the location of the proposed work and considered the availability of labor and materials, hereby proposes and agrees to perform everything required to be performed, and to provide and furnish any and all labor, materials, supervision, necessary tools, equipment, and all utility and transportation service necessary to perform and complete in a workmanlike and timely manner all of the work required for the project, all in strict conformance with the Instructions to Bidders and other Contract Documents (including Addenda noted above, the receipt of which is hereby



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Appendix D (Continue)

acknowledged), for the lump sums hereinafter specified.

RESPECTFULLY SUBMITTED:

_____	_____	
Signature	Title	
_____	_____	
Name (Please type or write clearly)	Date	
_____	_____	_____
Company Name	Telephone Number	Fax Number
_____	_____	_____
Street	Email address	
_____	_____	
City, State, Zip Code	License number (if applicable)	

By signing, he/she certifies that they are an authorized agent of said company and has the authority to legally enter into a binding Service Agreement.

SEAL – (If BID is by a corporation)

Appendix D (Cont)

<i>BID SHEET</i>		
Project:	Repair Playground Surfaces at District Building	
RFP#:	2023-PUR-004	
Owner:	Independence School District	
Date:	February 28, 2023	
Contractor Name		
Schools	Sugar Creek Elementary School	Total
Location Addresses	<i>11424 Gill Street, Independence, MO 64054</i>	
Install hot pour rubberized crack sealant in all cracks 1/2" or greater, not associated with alligating. 2.1.1.2. Apply a coat of Seal Master Ultra coal tar emulsion with four pounds of silica. Include any additional supplies needed for project.	\$ -	\$ -
Disposal (Provide dumpster), Removal Charges, Installation Charges, Freight and Delivery Charges	\$ -	\$ -
TOTAL BID	\$ -	\$ -
Bid Bond		\$ -
Warranty in Years		

Company Name: _____

Printed Name: _____

Signature: _____

Date: _____



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ATTACHMENT A

Project: Proposal to furnish equipment, materials and labor to perform the following work:

- Install hot pour rubberized crack sealant in all cracks ½" or greater, not associated with alligating.
- Apply a coat of Seal Master Ultra coal tar emulsion with four pounds of silica.


School where work needs to be performed

Sugar Creek Elementary School

Untitled Map

Write a description for your map.

Legend

 Sugar Creek Elementary School

