

Invitation to Bid

ITB# ESD 112-21-23

Issued by:



2500 NE 65th Ave
Vancouver, WA 98661

Invitation to Bid for:

Window Walls 2400 Phase II

Issue Date:
October 6, 2023

**BIDS ARE DUE BY 2:00 PM ON
November 13, 2023**

BRIEF SCOPE OF WORK

Educational Service District 112, ESD112, Vancouver, Washington, is soliciting competitive bids from responsible contractors for window walls work as part of our 2400 Phase II Renovation on the ESD112 Campus. See detailed scope of work below.

PROJECT TIMETABLE

ITB Release	October 6, 2023
Pre-Bid Site Meeting	October 18, 2023 11:30 a.m.
Deadline for Questions	November 1, 2023
Bids Due	2:00 p.m. November 13, 2023

SUBMITTAL OF BID

Bids shall be sealed and clearly marked on the package cover as shown below:

Educational Service District 112
Attention: Jeff Strunk, Purchasing Manager
2500 NE 65th Avenue
Vancouver, WA 98661-6812

**CONFIDENTIAL: DO NOT OPEN
SEALED BID ENCLOSED
Window Walls 2400 Phase II**

Refer all questions in writing to:

Jeff Strunk, Director of Purchasing & Facilities
Educational Service District 112
Jeff.Strunk@esd112.org

ESD 112 Bid Site:

<https://www.esd112.org/itb-rfp-rfq-contracts/>

GENERAL TERMS AND CONDITIONS

ADMINISTRATIVE REQUIREMENTS -

Contractors shall comply with all management and administrative requirements established by Washington Administrative Code (WAC), the Revised Code of the State of Washington (RCW), and any subsequent amendments or modifications, as applicable to providers licensed in the State of Washington. ALL bids submitted become the property of ESD 112. It is understood and agreed that the prospective Bidder claims no proprietary rights to the ideas and written materials contained in or attached to the bid submitted. ESD 112 has the right to reject or accept proprietary information.

AUTHORSHIP - Applicants must identify any assistance provided by agencies or individuals outside the bidders own organization in preparing the bid. No contingent fees for such assistance will be allowed to be paid under any contract resulting from ITB.

CANCELLATION OF AWARD - ESD 112 reserves the right to immediately cancel an award if the contractual agreement has not been entered into by both parties or if new state regulations, policies, or other business needs make it necessary to change the program purpose or content, discontinue such programs, or impose funding reductions. In those cases, where the negotiation of contract activities is necessary, ESD 112 reserves the right to limit the period of negotiation to sixty (60) days after which time funds may be unencumbered.

CONFIDENTIALLY - Bidder shall comply with all applicable state and federal laws governing the confidentiality of information.

CONFLICT OF INTEREST - All bids submitted must contain a statement disclosing or denying any interest, financial or otherwise, that any employee or official of ESD 112 or the appropriate Advisory Board may have in the proposing agency or proposed project.

CONSORTIUM OF AGENCIES - Any consortium of companies or agencies submitting a bid must certify that each company or agency of the

consortium can meet the requirements set forth in the ITB.

COST OF BID & AWARD - The contract award(s) will not be final until ESD 112 and the prospective contractor(s) have executed a contractual agreement. The contractual agreement consists of the following parts: (a) the basic provisions and general terms and conditions, (b) the special terms and conditions, (c) the project description and goals (Statement of Work), and (d) the budget and payment terms. ESD 112 is not responsible for any costs incurred prior to the effective date of the contract. ESD 112 reserves the right to make an award without further negotiation of the bid submitted. Therefore, the bid shall be submitted in final form from a budgetary, technical and programmatic standpoint.

DISPUTES - ESD 112 encourages the use of informal resolution to address complaints or disputes arising over any actions in implementing the provisions of the ITB. Written complaints should be addressed to ESD 112, Chief Financial Officer, 2500 NE 65th Avenue, Vancouver WA 98661.

DIVERSITY IN EMPLOYMENT AND CONTRACTING REQUIREMENTS - It is the policy of ESD 112 to require equal opportunity in employment and services subject to eligibility standards that may be required for a specific program. ESD 112 is an equal opportunity employer and is committed to providing equal opportunity in employment and in access to the provision of all ESD 112 services. This commitment applies regardless of race, color, religion, creed, sex, marital status, national origin, disability, age, veteran status, on-the-job injury, or sexual orientation. Employment decisions are made without consideration of these or any other factors that are prohibited by law.

In compliance with Department of Labor Regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended, no qualified handicapped individual shall be discriminated against in admission or access to any program or activity. The prospective contractor must agree to provide equal

opportunity in the administration of the contract, and its subcontracts or other agreements.

INDEPENDENT PRICE DETERMINATION – The prospective contractor guarantees that, in connection with this bid, the prices and/or cost data have been arrived at independently, without consultation, communication, or agreement for the purpose of restricting competition. This does not preclude or impede the formation of a consortium of companies and/or agencies for purposes of engaging in jointly sponsored bids.

LIMITATION – This ITB does not commit ESD 112 to award a contract, to pay any costs incurred in the preparation of a response to this ITB, or to procure or contract for services or supplies.

LATE BIDS – A bid received after the date and time indicated will not be accepted. No exceptions will be made.

ORAL PRESENTATIONS – An oral presentation may be required of those prospective contractors whose bids are under consideration. Prospective contractors may be informed that an oral presentation is desired and will be notified of the date, time and location the oral presentation is to be conducted.

OTHER AUDIT/MONITORING REQUIREMENTS – In addition, auditing or monitoring for the following purposes will be conducted at the discretion of ESD 112: fund accountability, contract compliance, and program performance.

PRICE WARRANT – The bid shall warrant that the costs quoted for services in response to the ITB are not in excess of those which would be charged any other individual or entity for the same services performed by the prospective contractor.

PROTESTS – must be submitted in writing to the ESD 112 Purchasing Manager, within three days.

PUBLIC SAFETY – may require background checks if stipulated below. May also require limiting access to public work sites, public facilities, and public offices, sometimes without advance notice. The successful Bidder's

employees and agents shall carry sufficient identification to verify employer and display it upon request to security personnel. ESD 112 managers have discretion to require the successful Bidder's employees and agents to be escorted to and from any public office, facility or work site if national or local security appears to require it.

REJECTION/ACCEPTANCE OF BIDS – ESD 112 reserves the right to accept or reject any or all bids received as a result of this ITB, to negotiate with any or all prospective contractors on modifications to bids, to waive informalities, to postpone award, or to cancel in part or in its entirety this ITB if it is in the best interest of ESD 112 to do so.

SUBCONTRACTING – No activities or services included as a part of this bid may be subcontracted to another organization, firm, or individual without the approval of ESD 112. Such intent to subcontract shall be clearly identified in the bid. It is understood that the contractor is held responsible for the satisfactory accomplishment of the service or activities included in a subcontract.

VERBAL BIDS – Verbal bids will not be considered in making the award of any contract as a result of this ITB.

SCOPE OF WORK

ESD seeks a qualified contractor for window curtain wall services in our 2400 building. Work to include:

- Black factory finish aluminum frames per the plans and specs.
- Black opaque infill panels at all ceiling levels and above per the plans and specs.
- Include tooled-finish black caulking over approved backer rod material at all transitions between the new aluminum frames and the existing concrete panels per the plans and specs.
- Include black factory finish flashing where required per the plans and specs.
- Include black factory finish end-cap metal on all intersecting interior walls per the plans and specs.

Plans can be found at:

https://www.esd112.org/?post_type=avada_faq&p=16200&preview=true

BID SUBMISSION

Sealed bids must be received no later than the date, time and location specified on the cover of this document.

The outside of the envelope/package shall clearly identify:

1. ITB Number and;
2. TITLE and;
3. Name and address of the bidder.

All received bids will be time stamped. Bids received after submittal time will not be considered and will be returned, unopened, to the Bidder.

INSURANCE REQUIREMENTS

At a minimum, the proposer shall carry:

1. Commercial General Liability with limits of not less than \$1,000,000 per occurrence with a \$2,000,000 General Aggregate. The proposer's policy shall include an Additional Insured Endorsement, which names ESD 112 and their respective directors, officers and employees as an additional insured. The proposer's coverage shall be primary and non-contributory.
2. Auto Liability and physical damage for any autos owned, hired, or non-owned with a minimum limit of \$1,000,000.
3. The proposer will maintain their own Property Insurance Policy to cover their personal property.

4. The proposer will provide proof of Worker's Compensation Coverage in the State statutory amount.

CONTRACTOR RESPONSIBILITIES

The Contractor shall be responsible for providing all labor, materials, equipment, warehousing, transportation, installation, testing, necessary service, incidental parts, components, and accessories required to perform the Project in accordance with all ESD 112 performance standards, and Washington State, City of Vancouver, and Clark County health and safety regulations. Failure of the Contractor to not include a required item or task in its quote shall not be justification for additional payment unless approved prior by ESD 112.

CLEAN UP

The Contractor shall at all times keep the premises free from accumulation of waste material or rubbish caused by his/her employees or Project in progress. At the end of each workday, and upon completion of the Project, the Contractor shall remove all rubbish in and about the building and or project site and all tools, scaffolding, and surplus materials and shall leave the work area "broom clean". In case of failure to do so, the ESD 112 may remove the rubbish and charge the cost to the Contractor.

PREVAILING WAGE

In accordance with Washington State RCW39.04.010, RCW39.12.010, RCW39.12.020, and WAC 296-127, Contractors and Sub-Contractors shall be required to pay workers the Prevailing Wage rates prescribed by the Washington State Department of Labor and Industries.

After award of Proposal, the successful Contractor shall prepare and file all forms relating to bonding, insurance, prevailing wages, and any other requirements of public works Contracts with ESD 112 and the state within required timeliness. The Washington State Department of Labor and Industries current schedule of Prevailing Wage Rates can be found on their website at:

<http://www.lni.wa.gov/TradesLicensing/PrevWage/WageRates/default.asp>

This rate schedule applies to any work performed under this Proposal and is part of the Contract requirements. Please obtain Prevailing Wage forms from the Washington State Department of Labor and Industries. This will ensure that current Labor and Industries forms are utilized.

DEFINITIONS

ADDENDA

Modifications or interpretations of the Invitation to Bid and the requirements contained therein that is prepared in response to properly submitted questions and comments. Addenda shall be available for review on the ESD 112 web site. Bidders are required to carefully and completely review all Addenda because the Addenda may contain terms and conditions that once issued become elements of the Invitation to Bid.

AWARD

The acceptance of a bid and creation of a Contract with a Bidder.

AWARDED BIDDER

A Bidder that is awarded a Contract as a result of being identified as the Lowest Bidder.

AMENDMENT

For the purposes of a Contract, shall mean an agreement between the parties to change the Contract after it is fully signed by both parties. Such agreement shall be memorialized in a written document describing the agreed upon change including any terms and conditions required to support such change. An Order Document shall not constitute an Amendment to a Contract.

CONTRACT

The agreement that exists when ESD 112 accepts the bid and awards the Contract for a competitive solicitation.

DISPUTE

An unresolved disagreement between the Awarded Bidder and the Purchasing Manager that arises after the award has been made.

ESD 112

The abbreviation for Educational Service District 112, located at 2500 NE 65th Avenue, Vancouver, WA 98661.

RESPONSIBLE

Having the following attributes, as described in RCW 43.19.1911 (9):

- The ability, capacity, and skill of the Bidder to perform the Contract or provide the service required;
- The character, integrity, reputation, judgment, experience, and efficiency of the Bidder;
- Whether the Bidder can perform the Contract within the time specified;
- The quality of performance of previous contracts or services;

- The previous and existing compliance by the Bidder with laws relating to the Contract or services;
- Such other information as may be secured having a bearing on the decision to award the Contract.

RESPONSIVE

Conforming in all material respects to the terms and conditions, the scope of work, technical specifications, and other requirements of a bid. Bids shall be responsive to receive award consideration.

REVISED CODE OF WASHINGTON (RCW)

Compilation of statutory laws enacted by the state legislature. Organized topically into volumes, containing chapters and sections.

END OF DEFINITIONS

Submittal Forms

Please provide your Proposer Response Documents in the following order;

1. SUBMITTALS

- A. Non-Collusion Affidavit
- B. Corporate Profile
- C. Completed Reference Form
- D. Pricing Form
- E. Proposer's Offer and Acceptance Form

2. OTHER SUPPORTING DOCUMENTATION

- A. Proof of Insurance
- B. Bonding
- C. Additional necessary documents

NON-COLLUSION AFFIDAVIT - A

ITB TITLE: _____

ITB DUE DATE: _____

I, the undersigned, having carefully examined the General Instructions, Terms, Conditions, Special Instructions, and this is to certify that the undersigned Proposer has neither directly nor indirectly, entered into any agreement, participated in any collusion or other-wise taken any action in restraint of free competitive bidding in connection with this bid submitted this date to Educational Service District 112.

It is agreed by the undersigned Proposer that the signed delivery of this bid represents the Proposer's acceptance of the terms and conditions of this Invitation to Bid including all specifications and special provisions.

NOTE: Signature of the authorized representative **SHALL** be of an individual who may legally enter his/her organization into a formal contract with the State of Washington and Educational Service District 112.

COMPANY NAME _____ (Check one) Corporation Partnership Individual

NAME OF AUTHORIZED REPRESENTATIVE (Please type or print) _____

SIGNATURE _____ TITLE _____

COMPANY ADDRESS _____

PHONE NUMBER _____ FAX NUMBER _____

E-MAIL ADDRESS _____ FEDERAL E.I. NUMBER _____

Has your firm, any affiliate or reseller, any predecessor company or entity, owner, director, officer, partner or proprietor been the subject of a Federal, State or Local government suspension or debarment within the last five years? Yes ___ No ___

If yes, please explain _____
_____.

TO BE COMPLETED BY NOTARY PUBLIC:

State of _____	Subscribed and sworn to before me this _____
County of _____	day of _____ 20_____
Notary seal	I, the undersigned notary public, do affirm the above individual has presented valid identification to me.
	_____ SIGNATURE OF NOTARY PUBLIC
	_____ DATE MY COMMISSION EXPIRES

CORPORATE PROFILE - B

Company Name: _____

Company Contact: _____

Contact Telephone Number(s): _____

Company Overview: _____

Date Company Established: _____

Is the company privately or publicly held? _____

Parent, Alliances, Consultants, and Partnered Relationships:
Include a description of any outside resources available/used for performance of project(s).

REFERENCES – C

Organization: _____
Contact Name: _____
Phone Number: _____
Date Work Completed: _____ Value of Contract: _____
Project Manager assigned to this project: _____
Brief Project Description: _____

Organization: _____
Contact Name: _____
Phone Number: _____
Date Work Completed: _____ Value of Contract: _____
Project Manager assigned to this project: _____
Brief Project Description: _____

Organization: _____
Contact Name: _____
Phone Number: _____
Date Work Completed: _____ Value of Contract: _____
Project Manager assigned to this project: _____
Brief Project Description: _____

REFERENCES - C
(Additional)

Organization: _____
Contact Name: _____
Phone Number: _____
Date Work Completed: _____ Value of Contract: _____
Project Manager assigned to this project: _____
Brief Project Description: _____

Organization: _____
Contact Name: _____
Phone Number: _____
Date Work Completed: _____ Value of Contract: _____
Project Manager assigned to this project: _____
Brief Project Description: _____

Organization: _____
Contact Name: _____
Phone Number: _____
Date Work Completed: _____ Value of Contract: _____
Project Manager assigned to this project: _____
Brief Project Description: _____

PRICING FORM - D

**EDUCATIONAL SERVICE DISTRICT 112
MAIL TO: 2500 NE 65TH AVE. VANCOUVER, WA 98661
HAND DELIVER TO: 2500 NE 65TH AVE. VANCOUVER, WA 98661**

BID PROPOSAL

In compliance with the contract documents, the following bid proposal is submitted:

- 1) BASE BID (Including Trench Excavation Safety Provisions)

\$ _____

(Please print dollar amount in space above)

(do not include Washington State Sales Tax)

Do not include Washington State Sales Tax in alternate amounts.

The Owner reserves the right to accept or reject any or all bid prices within sixty (60) days of the bid date.

Receipt of Addenda

Receipt of the following addenda is acknowledged:

Addendum No. Addendum No.

Addendum No. Addendum No.

Addendum No. Addendum No.

Name of Firm _____

NOTE: If bidder is a corporation, write State of Incorporation; if a partnership, give full names and addresses of all parties below.

Signed by _____, Official Capacity _____

Print Name _____

Address _____

City _____ State _____ Zip Code _____

Date _____ Telephone _____ FAX _____

State of Washington Contractor's License No. _____

Federal Tax ID # _____ e-mail address: _____

PROPOSER'S OFFER AND ACCEPTANCE FORM – E

The undersigned hereby agrees to the requirements, terms and conditions of **ITB ESD 112-21-23, Window Walls 2400 Phase II**. The undersigned acknowledges their authority to submit this proposal on behalf of the firm listed below and bind it to comply with these requirements, terms and conditions if a Contract is awarded. Furthermore, the undersigned certifies conformance to applicable federal and state laws concerning public contracts, and that this proposal is made without connection with any person, firm or corporation making a proposal for the same goods or services and is in all respects fair and without collusion or fraud.

Legal Name of Firm or Corporation

Signature of Proposer's Authorized Representative
Representative

Printed Name of Company

Title of Proposer Representative

Date Signed

Legal Address of Proposer's Company (including address, city, state and zip code)

Company Phone (including area code)

Company Fax (including area code)

Federal Tax Identifier of Proposer's Company

E-Mail Address

To the Proposer:

Effective this ___ day of _____, 2023, ESD 112 is accepting the proposal and awarding a contract to the Proposer named above for the **Window Walls 2400 Phase II** identified in the attached Final Letter of Award. Proposer is contractually obligated to provide the services that are subject to this Contract Award to ESD 112 in accordance with the requirements, and terms and conditions, in Contract ESD 112-21-23, Window Walls 2400 Phase II.

Educational Service District 112
2500 NE 65th Avenue
Vancouver, WA 98661

By Tim Merlino, Superintendent (or Designee)