



INVITATION TO BID

Solicitation No: 19-0010

For the Provision of

Auditorium Production Lighting Fixtures

**ITB Closing (Due Date & Time):
April 16, 2019 at 2:00 PM Pacific Time**

**Issued by:
Beaverton School District 48J
16550 SW Merlo Road
Beaverton, Oregon 97003
March 13, 2019**

INVITATION TO BID (ITB)

Solicitation No: ITB 19-0010

Summary

The purpose of this Invitation to Bid (Solicitation) is to obtain competitive Bids from qualified Bidders interested in the provision of Auditorium Production Lighting Fixtures.

No Pre-Bid Conference will be held for this Solicitation.

Interested Bidders must submit a Bid pursuant to the provisions of this Solicitation to Justin Sweet, Contract Specialist, or designee, at the District Administration Center, Facilities Development Main Portable, 16550 SW Merlo Road, Beaverton, Oregon 97003 **NOT LATER THAN:**

SOLICITATION CLOSING: April 16, 2019 at 2:00 PM Pacific Time
LATE BIDS WILL NOT BE ACCEPTED

Timely submitted Bids will be opened in public and read aloud immediately after Closing at the address above.

Bidders are solely responsible for ensuring that the Beaverton School District receives its Bid.

Prospective Bidders must register with ORPIN – <http://orpin.oregon.gov/> to obtain the Solicitation documents and plan sets.

Bidders must familiarize themselves with the entire Solicitation.

All questions and comments about this solicitation must be directed ONLY IN WRITING to Justin Sweet, Contract Specialist, by e-mail to: contracts@beaverton.k12.or.us

THE DISTRICT MAY REJECT ANY BID NOT IN COMPLIANCE WITH ALL PRESCRIBED REQUIREMENTS.

SECTION I – INTRODUCTION
Solicitation No: ITB 19-0010
Auditorium Production Lighting Fixtures

1. INTRODUCTION:

This Solicitation is issued pursuant to ORS 279A, ORS 279B and the Oregon Attorney General Model Rules Divisions 46 and 47.

2. DEFINITIONS:

The term "District" or "Owner" throughout this document means the Beaverton School District (BSD). The term "Bidder" means the person or firm that submits a Bid in response to this Solicitation. The term "Bid" or "Offer" means a written response to provide Goods or Services in response to this Solicitation. "Closing" means the date and time specified in the Solicitation as the deadline for submitting Bids. "Contractor" or "Supplier" means the firm awarded a Contract as a result of this Solicitation.

3. SOLICITATION REVIEW:

Bidders must carefully review the Solicitation documents and are responsible for knowing and understanding all terms and conditions. Unless defects, ambiguities, omissions, or errors are brought to the District's attention by protest pursuant to QUESTIONS/CLARIFICATIONS/CHANGES AND SOLICITATION PROTEST in Section III, protests or appeals based on such defects, ambiguities, omissions or errors received after issuance of the Notice of Intent to Award (NOI) may not be favorably considered.

4. BACKGROUND:

- a. The Beaverton School District encompasses approximately 57 square miles in northwestern Oregon in Washington County. The District, located in the Portland, Oregon metro area, is the third largest School District in Oregon.
- b. The Beaverton School District has approximately 4,700 employees. The District is responsible for educating approximately 40,870 students in kindergarten through grade 12 at thirty-four (34) Elementary Schools, eight (8) Middle Schools, six (6) High Schools, five (5) Options Schools, and nineteen (19) Options Programs.
- c. Potential work is to be performed on an as needed basis, or as otherwise directed, at these sites and any future properties or interests of the District.

5. SCOPE OF WORK:

This project is to supply all Production Lighting Fixtures as described for delivery to Aloha and Beaverton High Schools.

6. CONTRACT:

The successful Bidder, selected by the District, will receive a Purchase Order (PO). A sample is enclosed herein (see SECTION V - ATTACHMENTS).

7. AMENDMENTS:

The District may amend a Contract without additional competition pursuant to OAR 137-047-0800.

8. DISTRICT REPRESENTATIVE:

The District Representative for this project is Jeff Hamman, Construction Project Manager.

9. SOLICITATION SCHEDULE:

The milestones for the selection process are set forth below. The dates are specific and will be followed to the extent reasonably possible. The purpose of this schedule is for Bidder information only. The District reserves the right to deviate from this schedule.

SECTION I – INTRODUCTION
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Auditorium Production Lighting Fixtures

Solicitation Milestone

Deadline for Questions
Submit Bids

Completion Date

April 5, 2019 at noon
April 16, 2019 at 2:00 PM

10. CONTACT DURING SOLICITATION:

Questions must be submitted in writing via email to contracts@beaverton.k12.or.us as indicated on the Summary page of this Solicitation. No other contact regarding this solicitation during the solicitation process is permitted. Unauthorized contact regarding this solicitation may subject the offender's Bid to rejection.

SECTION II – STATEMENT OF WORK
Solicitation No: ITB 19-0010
Auditorium Production Lighting Fixtures

1. PURPOSE AND INTRODUCTION:

This project is to supply all Production Lighting Fixtures as described for delivery to the Aloha and Beaverton High Schools as coordinated with the District. All products shall be delivered by August 15th, 2019 or earlier. The Project is described in summary terms below and in the attached documents.

2. CONTRACTOR RESPONSIBILITIES:

Contractor must deliver the materials by August 15, 2019, and no earlier than July 1, 2019. Coordination with District staff and summer activities is required. Contractor must review with District staff which items are to be delivered to which site.

Materials must be delivered to:

Aloha High School
18550 SW Kinnaman Road
Aloha, OR 97078

And

Beaverton High School
13000 SW Second Street
Beaverton, OR 97005

Please refer to attached documents for type and total quantity of fixtures required. It is intended that the supplier provides a complete project and coordinates work with the District, Contractors and Consultants hired by the District as necessary.

- a. Work to include supplying, storing and handling of all required materials.
- b. Contractor shall provide all labor, materials, equipment, transportation, and other facilities and services as necessary and/or required to execute all of the Work.
- c. Contractor is required to perform a full delivery verification, including and accurate count and check in of materials at the time of delivery and provide documentation as such.
- d. Contractor is required to assist with or provide all applicable warranty information to the District following delivery.

3. ADDITIONAL REQUIREMENTS:

- a. **Background Checks.** All personnel on-site will be required to be badged and must be subject to a background check per District Standards. See sample Contract attached to this Solicitation.
- b. Contractor must employ only persons duly licensed by the State of Oregon to perform the Work required under this Contract for which applicable Oregon Law requires a license.

SECTION IV – RESPONSE AND EVALUATION

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Auditorium Production Lighting Fixtures

1. **FORMAL SELECTION PROCEDURE:** Pursuant to OAR 137-047-0255

The District may procure Goods or Services by competitive sealed Bids as set forth in ORS 279B.055.

2. **PRE-BID CONFERENCE:** Pursuant to OAR 137-047-0420

- a. **Purpose.** The District may hold pre-Bid conferences with prospective Bidders prior to Closing, to explain the procurement requirements, obtain information, and/or to conduct site inspections.
- b. **Required Attendance.** If the District's pre-Bid conference is mandatory (as indicated on the Summary Page) a Bid submitted by a Bidder who did not attend the mandatory pre-Bid conference will be rejected.
- c. **Statements Not Binding.** Statements made by the District's representative at the pre-Bid conference do not change the Solicitation Document unless the District confirms such statements with a Written Addendum.

3. **BIDS ARE OFFERS:** Pursuant to OAR 137-047-0310

A Bid submitted in response to this Solicitation is the Bidder's offer to enter into a Contract.

- a. By signing and submitting a Bid, the Bidder acknowledges it has read, understands and agrees to be bound by the terms and conditions contained in this Solicitation.
- b. The Bid is a "firm offer," and must be held open by the Bidder for the District's acceptance for sixty (60) days.
- c. The District's Award of a Contract constitutes acceptance of the Bid and binds the Bidder to the Contract.
- d. The Bidder must not make its Bid contingent upon the District's acceptance of any terms or conditions (including Specifications) other than those contained in this Solicitation.

4. **BID PREPARATION:** Pursuant to OAR 137-047-0400

A Bidder must sign and submit its Bid in accordance with the instructions set forth in this Solicitation.

Failure to submit Bids in accordance with the provisions of this Solicitation will be grounds to declare the Bid as non-Responsive. Bidders must:

- a. Submit a complete Bid (a Bid that meets all requirements of this Solicitation);
- b. Provide the District with all required and requested documents and descriptive literature;
- c. Initial any corrections or erasures to their Bid prior to Closing;
- d. Identify (on the Bidder Certification) whether the Bidder is/is not a "resident Bidder", as defined in ORS 279A.120(1);
- e. Provide (on the Bidder Certification) certification of nondiscrimination in obtaining any required subcontractors in accordance with ORS 279A.110(4); and
- f. Provide (on the Bidder Certification) Written acknowledgment of receipt of all Addenda.

5. **BID SUBMISSION:** Pursuant to OAR 137-047-0410

- a. To ensure proper identification and handling, Bids must be submitted in a **sealed** envelope appropriately marked with the Bidder's name and address and the Solicitation number clearly legible in large block numbers. Bids must only be mailed or hand delivered to the person and location indicated on the Summary page of this Solicitation. Facsimile and electronic Bids will not be accepted.
- b. The District is not responsible for Bids submitted in any manner, format or to any delivery point other than as required in this Solicitation.
- c. Bidders are solely responsible for ensuring that the District receives their Bid at the required delivery point prior to Closing.

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6. **ADDENDA:** Pursuant to OAR 137-047-0430

- a. **Issuance; Receipt.** The District may change this Solicitation only by Written Addenda. A Bidder must provide written acknowledgement of receipt of all issued Addenda in the space provided on the Bidder Certification.
- b. **Notice and Distribution.** The District will publish notice of any and all Addenda on the ORPIN (Oregon Procurement Information Network) website. Addenda may be downloaded from the ORPIN website. It is the Bidders' responsibility to inquire about Addenda. Bidders should frequently check the ORPIN website until the Solicitation Closing (due date and time) about any Addenda issued, i.e., at least once weekly until the week of Closing and at least once daily the week of the Closing.
- c. **Timelines; Extensions.** The District will issue Addenda within a reasonable time to allow prospective Bidders to consider the Addenda in preparing their Bid. The District may extend the Closing if the District determines prospective Bidders need additional time to review and respond to Addenda. Except to the extent required by public interest, the District will not issue Addenda less than 72 hours before the Closing unless the Addendum also extends the Closing.
- d. **Invitation to Change or Protest.** Unless a different deadline is set forth in the Addendum, a Bidder may submit a Written Invitation to change or protest to the Addendum, as provided in OAR 137-047-0730, by the close of the District's next business day after issuance of the Addendum, or up to the last day allowed to submit a Invitation to change or protest under OAR 137-047-0730, whichever date is later. If the date established in the previous sentence falls after the deadline for receiving protests to the Solicitation Document in accordance with OAR 137-047-0730, then the District may consider a Bidder's Invitation to change or protest to the Addendum only, and the District will not consider a Invitation to change or protest to matters not added or modified by the Addendum.

7. **QUESTIONS/CLARIFICATIONS/CHANGES AND SOLICITATION PROTEST:**

Bidders may request changes or clarifications to, or protest, any provision, specification or Contract term contained in this Solicitation:

- a. **Questions, Clarifications, Changes.** All questions regarding this Solicitation must reference the Solicitation number and must be submitted in writing via e-mail to the attention of the person indicated on the Summary page of this Solicitation. No oral questions will be accepted other than at the pre-Bid conference (if any). Questions received by the District prior to deadline will be answered in written addenda.
- b. **Protest.** Pursuant to OAR 137-047-0730, a prospective Bidder may protest the Procurement Process or the Solicitation Document for a Contract solicited under ORS 279B.060 as set forth in ORS 279B.405. Written protests must include:
 - i. A detailed statement of the legal and factual grounds for the change, clarification, or protest;
 - ii. A description of the resulting prejudice to the Bidder; and
 - iii. A statement of the form of relief requested or any proposed changes to the Solicitation provisions, specifications, or contract terms and conditions.Written protests must be clearly marked with the Solicitation number and submitted in writing to the Purchasing Manager by email to contracts@beaverton.k12.or.us, hand delivered or mailed to the attention of Purchasing at 16550 SW Merlo Rd, Beaverton, OR 97003.
- c. **Deadline.** Questions, changes, clarifications, or protests must be received by the District by noon Pacific Time not later than ten (10) calendar days prior to the date Bids are due, or as stated in Section I SOLICITATION SCHEDULE. The District will not consider any protest or Invitation to change that is submitted after the submission deadline.
- d. **Response.** Responses to questions/clarifications and notice of the District's protest determination will be provided in written addenda pursuant to ADDENDA above. The District's response to a Bidder, whether orally or in Writing, does not change the Solicitation and is not binding on the District unless the District amends the Solicitation by written Addendum.

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e. Protesters must exhaust all administrative remedies before seeking judicial review.

8. PRE-CLOSING MODIFICATION OR WITHDRAWAL OF BIDS: Pursuant to OAR 137-47-0440

A Bidder may modify or withdraw its Bid in Writing only prior to Closing. Modification or withdrawal must:

- a. Be clearly marked “Bid Modification” or “Bid Withdrawal” and marked and delivered as described in BID SUBMISSION above;
- b. Include the Bidder's statement that the modification amends and supersedes the prior Bid; Bidders are responsible for ensuring that the District receives its modification or withdrawal. Modifications and/or withdrawals must be prepared and submitted on the Bidder's letterhead, signed by an authorized representative of the Bidder.

9. RECEIPT, OPENING, AND RECORDING OF BIDS: Pursuant to OAR 137-47-0450

- a. The District will electronically or mechanically time-stamp or hand-mark each Bid and any modification upon receipt. The District's official Bid time clock is located in District Administration Center, Facilities Development Main Portable, 16550 SW Merlo Road, Beaverton, Oregon 97003. In the event a Bid is too large to be time stamped, a separate piece of paper will be time stamped and attached to the Bid, or the envelope will be marked by hand with the date and time received.
- b. The District will not be responsible for the premature opening or failure to open a Bid that is not properly addressed and/or identified.
- c. Bids will be opened and recorded. The number of Bids received, the identity of Bidders, or the contents of any Bid will not be disclosed to the public until all Bids have been evaluated, negotiations completed if required, and a recommendation for Award has been published.

10. LATE BIDS, LATE WITHDRAWALS, AND LATE MODIFICATIONS: Pursuant to OAR 137-47-0460

Any Bid received after Closing is late. A Bidder's Invitation to withdrawal or modification of a Bid received after Closing is late. The District will not consider late Bids, withdrawals or modifications except as permitted in MISTAKES below. The District reserves the right to consider Bids that have been delayed or mishandled by the District.

11. MISTAKES: Pursuant to OAR 137-47-0470

To protect the integrity of the competitive Procurement process and to assure fair treatment of Bidders, the District will carefully consider whether to permit waiver, correction or withdrawal of Bids for certain mistakes. The District will not allow a Bidder to correct or withdraw a Bid for an error in judgment. If mistakes in a Bid are discovered after Opening, but before Award of the Contract, the District may take the following action:

- a. The District may waive, or permit a Bidder to correct, a minor informality. A minor informality is a matter of form rather than of substance that is evident on the face of the Bid, or an insignificant mistake that can be waived or corrected without prejudice to other Bidders.
- b. The District may correct a clerical error if the error is evident on the face of the Bid, or other documents submitted with the Bid, and the Bidder confirms the District's correction in writing.
- c. The District may permit a Bidder to withdraw a Bid based on one or more clerical errors in the Bid only in accordance with OAR 137-47-0470(2)(c) and (d).
- d. The District will reject any Bid in which a mistake is evident on the face of the Bid and the intended correct Bid is not evident or cannot be substantiated from documents accompanying the Bid.

12. AWARD: Pursuant to OAR 137-47-0600

- a. Award in part or in whole is contingent upon available funding. In the event adequate funds are not appropriated and allocated by the School Board, the District reserves the right to cancel any Solicitation at no penalty.

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- b. If awarded, the District will award a Purchase Order to the Responsible Bidder(s) that submitted the most advantageous responsive Bid(s), and that meets the minimum requirements of this Solicitation.
- c. The District may award by item, groups of items or the entire Bid.
- d. The District may Award multiple Contracts if beneficial to the District for adequate availability, delivery, service, competition, pricing, product capabilities, or other factors deemed significant by the District. This notice of Multiple Awards does not preclude the District from awarding a single Contract.
- e. The District may award a Contract for parts of the Solicitation for which acceptable Bids have been received.
- f. The District may award all or none Offers if the evaluation shows an all or none Award to be the most Advantageous or in the best interest of the District.
- g. The District may reject all or part of Bids and may issue a new Solicitation on the same or revised terms, conditions and Specifications.
- h. When Bids are identical the District must Award the contract Pursuant to OAR 137-046-0300.

13. NOTICE OF INTENT TO AWARD: Pursuant to OAR 137-047-0610

The District will provide a written Notice of Intent to Award (NOI) to all Bidders at least seven (7) calendar days before the Award of a Contract, unless the District determines that circumstances require prompt execution of the Contract. The District's Award will not be final until the later of the following:

- a. SEVEN (7) calendar days after the date of the NOI, or
- b. Until the District provides written response(s) to all timely filed protest(s) denying the protest(s) and affirming the Award.

14. BID REJECTION. Pursuant to OAR 137-047-0640 and OAR 137-047-0650

- a. The District may reject any Bid as set forth in ORS 279B.100:
 - i. When the rejection is in the best interest of the District.
 - ii. When the Bid is contingent upon the District's acceptance of terms and conditions (including Specifications) that differ from the Solicitation.
 - iii. When the Bid takes exception to terms and conditions (including Specifications) set forth in the Solicitation.
 - iv. That attempts to prevent public disclosure of matters in contravention of the terms and conditions of the Solicitation or applicable law.
 - v. That fails to meet the Specifications of the Solicitation.
 - vi. That is submitted late.
 - vii. Not in substantial compliance with the Solicitation or with all prescribed public procurement procedures.
 - viii. Not in compliance with ORS 279B.120, 279B.130, OAR 137-046-0210(3), 279A.105, ORS 279A.110(4).
 - ix. When the Bidder is not Responsible pursuant to ORS 279B.110.
- b. The District may reject all Bids as set forth in ORS 279B.100. The District will notify all Bidders of the rejection, along with the reasons for rejection. Bids may be rejected based upon the following criteria:
 - i. The content of or an error in the Solicitation or the Procurement Process unnecessarily restricted competition for the Contract.
 - ii. The price, quality or performance presented by the Bidders are too costly or of insufficient quality to justify acceptance of any Bid.
 - iii. Misconduct, error, or ambiguous or misleading provisions in the Solicitation threaten the fairness and integrity of the competitive process.
 - iv. Causes other than legitimate market forces threaten the integrity of the competitive process, such as collusion, corruption, unlawful anti-competitive conduct, and/or inadvertent or intentional errors in the Solicitation.
 - v. The District cancels the Solicitation in accordance with OAR 137-047-0660.

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- vi. Any other circumstance indicating that awarding the Contract would not be in the public interest.

15. SOLICITATION CANCELLATION: Pursuant to OAR 137-047-0660

The District may cancel, delay or suspend a solicitation, or reject all Bids, in accordance with ORS 279B.100 when it is in the best interest of the District as determined by the District. In the event of any such cancellation, delay, suspension or rejection, the District is not liable to any Bidder for any loss or expense caused by or resulting from any such cancellation, delay, suspension or rejection.

16. BID COSTS:

Bidders responding to solicitations are responsible for all costs they may incur in connection with submitting Bids.

17. CONTRACT AWARD PROTEST: Pursuant to OAR 137-047-0740

- a. Bidders may protest the Award of a Contract, or the intent to Award a Contract if the conditions set forth in ORS 279B.410(1) are satisfied. Bidders must deliver a written protest to the District within seven (7) Days after the issuance of the NOI.
- b. The Bidder's protest must be in writing and must specify the grounds for the protest to be considered by the District pursuant to ORS 279B.410(2). A protest must be submitted to the Purchasing Manager and may be e-mailed to contracts@beaverton.k12.or.us, or hand delivered or mailed to 16550 SW Merlo Rd, Beaverton, OR 97003. The Bidder is responsible for ensuring the District receives the protest.
- c. The District will not consider any protest that is submitted after the submission deadline.
- d. Resolution of Protests. The District's Purchasing Manager will settle or resolve a written protest submitted in accordance with the requirements of this Rule and will issue a written decision on the protest in a timely manner as set forth in ORS 279B.410(4).
- e. Decision. If a protest is not settled, the Superintendent, or designee, has the authority to resolve the protest.
- f. Bidders must exhaust all administrative remedies before seeking judicial review. Judicial review of this decision will be in accordance with ORS 279B.415.
- g. If the District upholds the protest, in whole or in part, the District may in its sole discretion either Award the Contract to the successful Protestor or cancel the Procurement or Solicitation.

18. ADDITIONAL REQUIREMENTS:

- a. The District reserves the right to seek clarifications of submitted Bids, which may or may not affect the evaluation scoring.
- b. The District reserves the right to negotiate a final Contract that is in the best interest of the District.
- c. Failure of the District to insist on strict performance will not constitute a waiver of any of the provisions of this Solicitation or resulting Contract or waiver of any other default of the Bidder.

19. CONFIDENTIALITY OF BIDS:

The District is subject to the Oregon Public Records Law (ORS 192.410 to 192.505), which requires the District to disclose all records generated or received in the transaction of District business, except as expressly exempted in ORS 192.501, 192.502, or other applicable law. The District may withhold from disclosure confidential information pursuant to ORS 192.501 or 192.502.

- a. The District will not disclose records submitted by a Bidder that are exempt from disclosure under the Public Records Law, subject to the following procedures and limitations.
 - i. All pages containing the records exempt from disclosure must be marked "confidential" and segregated in the following manner:
 - A. It must be clearly marked in bold and on each page of the confidential document.

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- B. It must be kept separate from the other Bid documents in a separate envelope or package and electronic folder.
 - C. Where this specification conflicts with other formatting and response instruction specifications, this specification will prevail.
 - D. Where such conflict (in C. above) occurs, the Bidder is instructed to respond with the following: “Refer to confidential information enclosed.” This statement “Refer to confidential information enclosed.” must be inserted in the place where the requested information was to have been placed.
- b. Bidders who desire that additional information be treated as confidential must mark those pages as “confidential”, cite a specific statutory basis for the exemption, and the reasons why the public interest would be served by the confidentiality. The entire Bid must not be marked confidential. Should a Bid be submitted in this manner, no portion of it will be held as confidential unless that portion is segregated in the above manner and meets the above criteria.
 - c. Notwithstanding the above procedures, the District reserves the right to disclose information that the District determines, in its sole discretion, is not exempt from disclosure or that the District is directed to disclose by the District Attorney or a court of competent jurisdiction. Prior to disclosing such information, the District will notify the Bidder. If the Bidder disagrees with the District decision, the District may, but is not required to, enter into an agreement not to disclose the information so long as the Bidder bears the entire cost, including reasonable attorney’s fees, of any legal action, including any appeals, necessary to defend or support a no-disclosure decision.

SECTION V – ATTACHMENTS
Solicitation No: ITB 19-0010
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1. BID PREPARATION:

- a. Bidder must complete and return as its Bid, the required Affidavit, Certifications and Forms included as Attachments to this Solicitation. (See Attached Bid Submission Checklist)
- b. Failure to complete, **sign**, and submit these and any other document(s) as requested or required in accordance with this Solicitation may be grounds to declare the Bid nonresponsive.

2. FORMS

- a. The attached forms are to be included in Bid.
- b. Copies of the included forms (See Attached Bid Submission Checklist) are to be completed and submitted by the Bidder along with other required documents as required by the Instructions to Bidders.
- c. **References.** If the Bidder has performed any project or work with the District in the last ten (10) years, one of the references must be from the Bidder's most recent contract with the District.

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BID SUBMISSION CHECKLIST

**ALL CERTIFICATIONS, FORMS, AFFIDAVITS AND DETAILED BID CONTENT REQUIREMENTS
AS SPECIFIED IN SECTION IV MUST BE INCLUDED IN BIDS.**

____ REQUIRED AFFIDAVIT, CERTIFICATIONS AND FORMS

The following certifications and forms must be completed and signed by the person authorized to represent the Bidder regarding all matters related to the Bid and authorized to bind the Bidder to the agreement. Failure to submit any of the required, completed and signed certifications/forms shall result in disqualification of the proposing firm.

- ____ BIDDER CERTIFICATION - This serves as the cover sheet for your Bid. (Attachment A)
- ____ BID SCHEDULES – Aloha High School and Beaverton High School. (Attachment B)
- ____ AFFADAVIT OF NON-COLLUSION / COMPLIANCE WITH TAX LAWS. (Attachment C)
- ____ NON-CONFLICT OF INTEREST CERTIFICATION. (Attachment D)
- ____ BIDDER RESPONSIBILITY FORM – All Pages. (Attachment E)

The following attachment(s) are **NOT** to be returned with the Bid. The content of these attachment(s) must be reviewed by the Bidder. The terms and conditions are incorporated in this Solicitation and will apply to the Contract to be executed for the work.

- ATTACHMENT F Aloha High School Specifications
- ATTACHMENT G Beaverton High School Specifications
- ATTACHMENT H Sample Purchase Order

The Bidder is **encouraged** to use the following attachment to identify their Bid, it is provided for the Bidder's convenience, and is not required.

- ATTACHMENT I Sealed Bid Label

This checklist is provided for the Bidder's convenience in assembling your Bid and is NOT required to be returned with the Bid.

SECTION V – ATTACHMENTS
ATTACHMENT A
Solicitation No: ITB 19-0010

BIDDER CERTIFICATION

Legal Name of Bidder (Firm): _____

Physical Address: _____

Mailing Address: _____

The Bidder certifies and agrees:

1. The prices in this Bid have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other Bidder relating to: the intention to submit a Bid, or the methods or factors used to calculate the prices Bid.
2. The Bidder has read and understands all terms and conditions of this Solicitation.
3. The Bidder agrees to provide insurance as required in the sample Contract Terms and Conditions (see Attachments).
4. The Bidder has, or has available, the equipment, personnel, materials, equipment, facilities, and equipment as well as the technical and financial ability necessary to complete and execute all Work in a sound and suitable manner for the use specified and intended.
5. The Bidder acknowledges that the person that signs this Certification is fully authorized to sign on behalf of the Bidder listed and to fully bind the Bidder to all conditions and provisions thereof.
6. The Bidder certifies that Bidder has complied or will comply with all requirements of local, state, and national laws, and that no legal requirement has been or will be violated in making or accepting this Bid.
7. The Bidder, pursuant to ORS 279A.120 (1), (check one) is ____ / is not ____ a resident Bidder.
If not, indicate State of residency_____.
8. The Bidder certifies that it has not discriminated and will not discriminate, in violation of ORS 279A.110, against any disadvantaged business enterprise, a minority-owned business, a woman-owned business, a business that a service-disabled veteran owns or an emerging small business that is certified under ORS 200.055 in obtaining any required subcontract.
9. The Bidder agrees to comply with Oregon tax laws in accordance with ORS 305.385.
10. The Bidder acknowledges receipt of the following addenda: (list by number and date appearing on addenda.)

Addendum Number	Date	Addendum Number	Date
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Respectfully submitted this _____ day of _____, 20_____.

Signature: _____

Printed Name: _____

Phone: _____

Title: _____

Fax: _____

Email Address: _____

SECTION V – ATTACHMENTS
ATTACHMENT B
Solicitation No: ITB 19-0010

BID SCHEDULE

A separate Bid Schedule for Aloha High School and Beaverton High School are available, and must be submitted as an Excel file.

SECTION V – ATTACHMENTS
ATTACHMENT C
Solicitation No: ITB 19-0010

AFFIDAVIT OF NON-COLLUSION / COMPLIANCE WITH TAX LAWS

(Bidder)

I state that:

- (1) The correct taxpayer identification numbers are:
A. Federal Employer ID Number (EIN): _____ B. Employer's Oregon ID Number: _____
- (2) Bidder is not subject to backup withholding because (i) Bidder is exempt from backup withholding, (ii) Bidder has not been notified by the IRS that Bidder is subject to backup withholding as a result of a failure to report all interest or dividends, or (iii) the IRS has notified Bidder that Bidder is no longer subject to backup withholding;
- (3) The price(s) and amount of this Bid must be arrived at independently and without consultation, communication or agreement with any other Supplier, Bidder or potential Bidder, except as disclosed on the attached appendix.
- (4) That neither the price(s) nor the amount of this Bid, and neither the approximate price(s) nor approximate amount of this Bid, will be disclosed to any other firm or person who is a Bidder or potential Bidder, and they will not be disclosed before Contract award.
- (5) No attempt has been made or will be made to induce any firm or person to refrain from proposing on this Solicitation, or to submit any noncompetitive Bid or other complementary Bid.
- (6) The Bid of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive Bid.
- (7) _____ (name of firm), its affiliates, subsidiaries, officers, directors and employees are not currently under investigation by any governmental agency and have not in the last four years been convicted of or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to proposing on any public contract, except as described in the attached appendix.

I state that _____ (name of firm) understands and acknowledges that the above representations are material and important, and will be relied on by the Beaverton School District in awarding the contract(s) for which this Bid is submitted. I understand and my firm understands that any misstatement in this affidavit is and will be treated as fraudulent concealment from the Beaverton School District of the true facts relating to the submission of Bids for this contract. I am authorized to act on behalf of Bidder, and have authority and knowledge regarding Bidder's payment of taxes, and to the best of my knowledge, Bidder is not in violation of any Oregon tax laws, including, without limitation, those tax laws listed in ORS 305.380(4), the elderly rental assistance program under ORS 310.630 to 310.706; and any local taxes administered by the Oregon Department of Revenue under ORS 305.620.

(Affiant's Signature)

STATE OF OREGON

County of _____

Signed and sworn to before me on _____ by _____
(date) (Affiant's name)

Notary: _____

My Commission Expires: _____

NON-CONFLICT OF INTEREST CERTIFICATION

Issuing Agency: Beaverton School District

I, _____ hereby certify I have read the statement defining conflict of interest as quoted below; that I understand the statement; that no conflict of interest exists as therein defined, which precludes an impartial Bid/Bid to be submitted by myself or the entity/company for which the Bid/Bid is submitted, and that if such a conflict should arise, I will immediately notify the Beaverton School District and disqualify my Bid/Bid.

"NO OFFICER, EMPLOYEE, OR AGENT OF THE BIDDER/BIDDER HAS ANY PERSONAL FINANCIAL INTEREST, DIRECT OR INDIRECT, IN THE OPERATION OF THE BEAVERTON SCHOOL DISTRICT OR WITH ANY PARTY CONNECTED WITH THE OREGON SCHOOL AND DISTRICT IMPROVEMENT NETWORK, DIRECTLY OR INDIRECTLY."

Bidder Name (signature)

Bidder Name (printed)

Bidder Title (printed)

Entity/Company Name (printed)

Date

**BIDDER RESPONSIBILITY FORM
(BIDDER’S QUALIFICATIONS AND FINANCIAL INFORMATION)**

DECLARATION AND SIGNATURES

The undersigned hereby declares that the he or she is duly authorized to complete and submit this Bidder Responsibility Form and that the statements contained herein are true and correct as of the date set forth below. Incomplete, incorrect or misleading information will be reason for a determination by the District of Bidder non-responsibility.

Date: _____

By: _____
(Signature of authorized official)

Name: _____
(Please type or print)

Title: _____
(Please type or print)

For: _____
(Firm’s name) (Please type or print)

Instructions

- 1. The information provided in this form is part of the District inquiry concerning Bidder responsibility. Please print clearly or type.**
- 2. If you need more space, use plain paper. Submit completed form with Bid response.**
- 3. Answer all questions. Submission of a form with unanswered questions, incomplete or illegible answers may result in a finding that the Bidder is not a responsible Bidder.**

SECTION V – ATTACHMENTS
ATTACHMENT E
Solicitation No: ITB 19-0010

RELIABILITY

Has your company ever been declared in breach of any contract for unperformed or defective work? Yes. No.

If “yes”, explain.

Has any employee or agent of your company ever been convicted of a criminal offense arising out of obtaining, attempting to obtain, or performing a public or private contract or subcontract? Yes. No.

If “yes,” explain.

Has any employee or agent of your company been convicted under state or federal law of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating a lack of business integrity or business honesty? Yes. No.

If “yes,” explain.

Has your company or any employee or agent of your company been convicted under state or federal antitrust laws? Yes. No.

If “yes,” explain.

Has any Officer or Partner of your organization ever been an Officer or Partner of another Organization that failed to complete a construction contract? Yes. No.

If “yes,” explain.

SECTION V – ATTACHMENTS
ATTACHMENT E
Solicitation No: ITB 19-0010

FINANCIAL RESOURCES

Has your firm ever been at any time in the last ten years the debtor in a bankruptcy case? Yes. No.

If “yes,” explain.

Does your firm have any outstanding judgments pending against it? Yes. No.

If “yes,” explain.

In the past ten years, has your firm been a party to litigation, arbitration or mediation where the amount in dispute exceeded \$10,000? Yes. No.

If “yes,” explain. (Include court, case number and party names.) _____

In the past ten years, has your firm been a party to litigation, arbitration or mediation on a matter related to payment to subcontractors or work performance on a contract? Check “yes” even if the matter proceeded to arbitration or mediation without court litigation. Yes. No.

If “yes,” explain. (Include court, case number and party names.)

Have you or any of your affiliates discontinued business operation with outstanding debts? Yes. No.

If “yes,” explain.

SECTION V – ATTACHMENTS
ATTACHMENT E
Solicitation No: ITB 19-0010
KEY PERSONNEL

List the principal individuals of your company, their current job title, the total years of experience they have in the industry and their current primary responsibility for your company. Corporations list current officers and those who own 5% or more of the corporation’s stock. Limited liability companies list members who own 5% or more of the company. Partnerships list all partners. Joint ventures list each firm that is a member of the joint venture and the percentage of ownership the firm has in the joint venture.

ITEM	Principal Individual
A. Name	
B. Position	
C. Years in Position	
D. Current Primary Responsibility	
ITEM	Principal Individual
A. Name	
B. Position	
C. Years in Position	
D. Current Primary Responsibility	
ITEM	Principal Individual
A. Name	
B. Position	
C. Years in Position	
D. Current Primary Responsibility	
ITEM	Principal Individual
A. Name	
B. Position	
C. Years in Position	
D. Current Primary Responsibility	

Person who will be in direct charge of work if your company is awarded this Contract:

ITEM	PERSON IN DIRECT CHARGE
A. Name	
B. Position	
C. Years in Position	
D. Largest Project Supervised - \$	
E. Largest number of employees ever supervised	

SECTION V – ATTACHMENTS
ATTACHMENT I
Solicitation No: ITB 19-0010

SEALED BID LABEL

SEALED BID ENCLOSED

DELIVER TO:

Beaverton School District
Administration Center
16550 SW Merlo Road
Beaverton, Oregon 97003

SEALED BID # 19-0010 DATE: April 16, 2019

BID MUST BE RECEIVED NO LATER THAN 2:00 PM PACIFIC TIME

FOR: AUDITORIUM PRODUCTION LIGHTING FIXTURES

BIDDER: _____

Please attach label to outside of Bid package.