

LIVONIA PUBLIC SCHOOLS (LPS)
REQUEST FOR PROPOSAL (RFP) – EMERSON & HOLMES AC UPDATES
2021 BOND PROGRAM
NOVEMBER 30, 2023

PROJECT DETAILS

Your Firm is invited to submit a proposal for the services required in this RFP in accordance with this letter and the following documents which are attached hereto, and by reference incorporated herein in full and made a part hereof and form the Contract Documents which may result from this RFP. This RFP includes the following attachments:

A. LPS Bid Invitation

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|-------------------------------|---------|
| 1. LPS Bid Information | 1 page |
| 2. LPS Bid Requirements | 2 pages |
| 3. Sworn Statements | 3 pages |
| Familial Disclosure Affidavit | |
| Iran Disclosure Affidavit | |
| Equal Opportunity Form | |
| 4. Vendor Profile | 2 Pages |
| 5. Proposal Form | 1 Page |

B. Project Documents (Drawings and Specifications)

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|------------------------------------------|-----------|
| 1. Emerson and Holmes Bid Specifications | 143 Pages |
| 2. Emerson Drawings | 8 Pages |
| 3. Holmes Drawings | 8 Pages |

C. Form of Contract; AIA Document A105-2017, as Modified 25 Pages

This Request for Proposal (RFP) does not commit Owner to award a contract or to undertake any financial obligation whatsoever with respect to the requirements referred to herein. Owner reserves the right to accept or reject any and all Proposals, in whole or in part, to negotiate with any Firm it has selected as qualified, to not award a contract, or to award one or more contracts. Owner further reserves the right to waive any irregularity or informality in this RFP process or any Proposal, and the right to award the Contract to any other than the Firm(s) submitting the best financial Proposal (low proposing Firm). Owner reserves the right to accept or reject, without consideration, any Proposal which arrives late. Owner reserves the right to request additional information from any or all Firms. In addition, notice is hereby given of the possibility that award may be made without discussion of the Proposal with the proposing Firm. In the event the Firm's Proposal is accepted by Owner and the Firm asserts exceptions, special considerations or conditions after acceptance, Owner, in its sole and absolute discretion, reserves the right to thereafter reject the Proposal and award another Firm. Therefore, the Firms should submit their best Proposal initially from both technical and cost standpoints.

1. PRE-PROPOSAL

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- A. If additional information is needed by the Firm in order to respond to this RFP, written instructions covering such items will be issued by the Owner's Representative to all Firms, and such items shall be acknowledged in the Firm's Detailed Proposal Form. No oral instructions or interpretations will be considered as binding on the Owner unless confirmed by a written addendum. If it becomes necessary to revise any part of this RFP, notice of the revision will be posted on the websites listed within. All addenda issued shall become a part of this RFP. Each Firm must in its Proposal, to avoid any miscommunication, acknowledge all addenda which it has received, but the failure of a Firm to receive, or acknowledge receipt of, any addendum shall not relieve the Firm of the responsibility for complying with the terms thereof.
- B. Firms may request that Owner clarify information contained in this RFP. All such requests and inquiries must be made in writing via email to Harry Lau at hlau@livoniapublicschools.org.
- C. **PLEASE NOTE:** LPS reserves the right, in its sole and absolute discretion, to make modifications to the timelines set forth in this RFP as it determines to be in its best interest.

2. PROPOSAL SUBMISSION

1. SUBMITTAL

Two (2) copies of your proposal are to be submitted in a sealed envelope as detailed in the enclosed LPS Bid Information.

- 2. If awarded the Contract, the Firm will execute the proposed Contract and provide all required certificates of insurance that meet the requirements as indicated in the attached Contract, prior to start of any work.
- 3. All Firms shall be responsible for familiarizing themselves with the information provided. Failure to do so shall in no way incur any delays in work or additional cost to the Owner. In addition, the School District's Board of Education has adopted various policies and procedures applicable to the usage of the School District's Facilities. The Awarded Firm will be required to abide by and comply with all applicable School District Board of Education policies and procedures, which can be found on the School District's website: <https://www.livoniapublicschools.org/>

3. RESPONSIVENESS

To be responsive, the Proposal must set forth full, accurate and complete information as required by this RFP and all attachments.

4. ADDENDA

Any addendum to this RFP will be issued in writing by the Owner. No information or representation other than that contained in such an addendum, will be considered to have been modified or be grounds for deviation from any stipulation or requirement of this RFP.

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5. LATE PROPOSALS

Each Firm is responsible for submission of its Proposal. Proposals or Proposal revisions received after the Due Date, as listed within the enclosed LPS Bid Information, will be rejected. Owner is not liable for any delivery or other delays.

6. RETURNED PROPOSALS

Proposals received after the Due Date will not be opened.

7. FORM OF AGREEMENT

- A. This is a Request for Proposal only. Proposals will be treated as offers to enter into the Contract (as defined within this RFP) with Owner. Owner and successful Firm shall memorialize their contractual relationship and obligations using the form of Contract attached to this RFP. The Contract contains many details regarding the Services required under this RFP, as well as the terms and conditions under which the Services shall be provided by the successful Firm. The Contract should be reviewed carefully by each Firm prior to submitting a Proposal. The final Contract shall be subject to review and approval of Owner's legal counsel.

- B. This RFP is for the purpose of developing a Lump Sum Price contract for Air Conditioning Upgrade Services as described in the attached Project Documents, Attachment B. The AIA A105-2017, Standard Short Form of Agreement between Owner and Contractor, as modified for this Project will be utilized, Attachment C. This agreement will be directly between Owner and the selected Firm. This RFP along with your Proposal will serve as the basis for the lump sum price contract for the completion and proper function of services in its facilities. A Proposal that does not include all costs will not be considered.

8. DATA CONFLICTS

Where conflicts occur within this RFP and its contents and addenda, the AIA A105-2017 Standard Short Form of Agreement between Owner and Contractor as modified for this Project, general, supplemental and other conditions, etc. the more restrictive requirements shall govern - all in favor of the Owner.

9. UNSOLICITED TERMS AND CONDITIONS

Proposals which take exception to Owner's Terms and Conditions as a whole and substitute the Firm's standard terms and conditions may be rejected.

10. FEES/TAXES

All Proposals for the Services, and for all other work thereunder, shall include all applicable taxes, including Social Security, unemployment, and sales or use taxes, and any other taxes specifically levied on the work or on wages by local, city, state, or federal government, except real property taxes on the site. Proposals shall also include all premiums, assessments, and other like payments, charges, and costs

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incidental to the Services covered by the Contract Documents. No fees or costs shall be incurred or paid by the Owner for labor, professional, reimbursables, etc. accumulated in response to this RFP.

11. PROPOSAL COSTS

Any recipient of this RFP, or any Firm who chooses to respond to this RFP, is responsible for any and all costs and liabilities incurred by it, or others acting on its behalf, in: (1) preparing or submitting a Proposal, (2) otherwise responding to this RFP, or (3) negotiating any Contract incidental to its Proposal.

12. IRREVOCABILITY OF PROPOSALS

All Proposals submitted may not be withdrawn and shall be irrevocable for a minimum period of ninety (90) calendar days following the Due Date for receipt of Proposals set forth above.

13. RESTRICTION ON COMMUNICATION

From the issue date of the RFP until a Firm is selected and selection announced, a prospective Firm shall not communicate about the subject of the RFP or a Firm's Proposal with Owner or any individual member, staff, and employees, except as permitted by the Requests for Clarifications paragraph within the RFP.

14. AUTHORITY TO SIGN

Proposals must be signed by an officer of the Firm who is authorized to enter into binding agreements.

15. PROJECT SCHEDULE

Equipment procurement processes to begin immediately upon Contract award and execution.

Active work on site to begin on June 10, 2024, and to be complete by August 16, 2024.

16. PERMITS

The Awarded Firm will be required to obtain applicable permits for the Work of this Project. The cost of the permits shall be included in the Base Bid.