



TOWN OF BERLIN, CONNECTICUT

REQUEST FOR PROPOSALS FOR: *McGee Middle School Outdoor Classroom*

RFP NUMBER: 2024-01

RFP OPENING DATE: 8/17/23.

RFP OPENING TIME: 1:00 P.M. EST

RFP OPENING PLACE: Berlin Town Hall, Town Manager's Office

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The Town of Berlin is seeking proposals for sitework and installation of an outdoor pavilion classroom from expert, qualified, and independent firms. The anticipated start date is 9/11/23.

One (1) original and two (2) copies of sealed proposals must be received in the Town Manager's Office of the Berlin Town Hall, 240 Kensington Rd, Berlin, CT 06037 by the date and time noted above. The Town will not accept submissions by e-mail or fax. The Town will reject proposals received after the date and time noted above.

The documents comprising the Request for Proposals may be obtained on the Town's website, www.town.berlin.ct.us, under "Departments, Purchasing, & Current Bids and RFP's" or from Maryssa Tsois, Purchasing Agent, Berlin Town Hall, Room 20, 240 Kensington Rd, Berlin, CT 06037 during normal business hours. **Each proposer is responsible for checking the Town's website to determine if the Town has issued any addenda and, if so, to complete its proposal in accordance with the RFP as modified by the addenda.**

The Town reserves the right to amend or terminate this Request for Proposals, accept all or any part of a proposal, reject all proposals, waive any informalities or non-material deficiencies in a proposal, and award the proposal to the proposer that, in the Town's judgment, will be in the Town's best interests.

1. **INTRODUCTION**

The Town of Berlin is soliciting proposals from qualified firms with significant experience to provide sitework and the installation of an outdoor pavilion classroom. This RFP is not a contract offer, and no contract will exist unless and until a written contract is signed by the Town and the successful proposer. Interested parties should submit a proposal in accordance with the requirements and directions contained in this RFP. The town may choose not to select any firm. The town is an equal opportunity, affirmative action employer, does not discriminate because of race, religion, color, sex, national origin, sexual orientation, marital status, disability or any other factors protected by law.

- **Background and Intent**

The Board of Education received grant funding to construct an outdoor classroom area at McGee middle school.

The Town, founded in 1785, covers an area of 27.0 square miles, and is located in the geographic center of the state in Hartford County. Berlin is eleven miles south of the City of Hartford and is bordered by New Britain, Newington, Rocky Hill, Cromwell, Middletown, Meriden and Southington. Berlin's population is approximately 20,000. The Town provides a full range of municipal services including public safety, parks and recreation, public works, health and human services, and water control, with a Grand List of approximately \$2.1 Billion and an operating budget of approximately \$80 Million.

- **Qualifications**

Eligible Vendors will be those individuals, businesses and firms that meet the following qualifications:

1. Proposer must have demonstrated experience and expertise in Connecticut in the past (3) years regarding the types of or similar services as those outlined in the introduction.
2. Proposer must have a proven track record in providing these types of services for similarly sized municipal governments, preferably in Connecticut.
3. Proposer must be familiar with, qualified, and properly licensed in the State of Connecticut to perform its obligation under this proposal in compliance with all applicable Federal and State of Connecticut laws and regulations, statutes and policies.
4. The Town will not award the proposal to any business that, or person who, is in arrears or in default to the Town with regard to any tax, debt, contract, security or any other obligation.

- **Additional Conditions**

All those submitting proposals must be willing to adhere to the following additional conditions and must positively state this in the proposal.

1. The proposer must certify that the personnel identified in its response to this RFP will be the persons actually assigned to the project. At its discretion, the Town may require the removal and replacement of any of the proposer's personnel who do not perform adequately, regardless of whether they were previously approved by the Town.
2. All subcontractors hired by the proposer awarded a contract or purchase order as a result of this RFP must have prior approval of the Town prior to and during the agreement period.
3. Any contract or purchase order resulting from this RFP process will represent the entire agreement between the proposer and the Town and will supersede all prior negotiations, representations or agreements, alleged or made, between the parties. The Town shall assume no liability for payment of services under the terms of the contract or purchase order until the successful proposer is notified that the contract or purchase order has been accepted and approved by the Town. *Any contract resulting from this RFP may be amended only by means of a written instrument signed by the proposer and signed by the Town Manager.*

2. RIGHT TO AMEND OR TERMINATE THE RFP OR CONTRACT

The Town may, in its sole discretion, clarify, modify, amend or terminate this RFP if the Town determines it is in the Town's best interest. The Town has the right to extend the RFP Open Date no later than four (4) business days prior to the scheduled RFP Open Date, via Amendment, if determined it is in the Town's best interest. In the event that an insufficient number of qualified bids are received by the RFP Open Date, the Town may terminate and re-post the RFP if determined it is in the Town's best interest. All such actions shall be affected by a posting on the Town's website, www.town.berlin.ct.us.

Each proposer is responsible for checking the Town's website to determine if the Town has issued any addenda and, if so, to complete its proposal in accordance with the RFP as modified by the addenda.

If this RFP provides for a multi-year agreement, the Town also reserves the right to terminate the Contract at the end of the last fiscal year for which funds have been appropriated, and the Town shall have no obligation or liability to the successful proposer for any unfunded year or years.

3. **KEY DATES**

RFP Advertised	8/3/23.
Pre- Bid Walkthrough	8/9/23
Questions due from Vendors	8/10/23
RFP Open Date	8/17/23
Interview of top Vendors	8/21-8/24/23
Contract Execution Date	9/6/23

4. **PROPOSAL SUBMISSION INSTRUCTIONS**

A. Proposal Requirements & Required Format

Proposals must set forth accurate and complete information for each of the items listed below. At the Town's discretion, failure to do so could result in disqualification. Please ensure your proposal incorporates responses to the below questions, as well as any requested attachments.

1. **Proposer Information:** Please provide the following information:
 - a. Firm Name
 - b. Permanent main office address
 - c. Date firm organized.
 - d. Legal Form of ownership. If a corporation, indicate where incorporated.
 - e. How many years have you been engaged in services you provide under your present name?
2. **Experience, Expertise and Capabilities**
 - a. **Philosophy Statement and Business Focus.** A statement of the proposer's philosophy and approach in undertaking the services of the nature outlined in the RFP, as well as a description of its primary business focus.
 - b. **Summary of Relevant Experience.** A listing of projects that the proposer has completed within the last three (3) years of a similar nature to those included in the Scope of Services in this RFP must be provided.
 - c. The following additional information shall be provided by each bidder:
 - **Please provide a sample billing** in the format the Town would receive on a regular basis.
 - General description of the organization structure of your institution including parent and/or subsidiary companies and the number of employees.
 - Identify who will be the primary client relationship manager.
 - Provide a general representation of the key factors and other important considerations that you feel separates your

institution/firm from others in providing the requested services.

- Detail description of your firm's technical resources and experience in providing the desired scope of services to similarly sized entities.
- Identify the location of the office(s) from which the services will be performed.
- Disclose any current (last 3 years) business, financial, personal, or other types of relationships which may pose a conflict of interest.
- Please list any contracts or purchase orders in the last three (3) years between the proposer and any agency of the Town.

3. Statement of Qualifications and Work Plan

- a. Qualifications. For **each** item listed in Qualifications, please describe your firm's qualifications, experience and capabilities as they pertain to each of the areas of qualifications listed, as well as those of the personnel to be assigned to this project.
- b. Work Plan. For **each** item listed in Scope of Services, please describe the approach that would be generally followed in undertaking these tasks.
- c. Services Expected of the Town. Identify the nature and scope of the services that would be generally required of the Town in undertaking these projects.

4. Information Regarding: Failure to Complete Work, Default and Litigation.

Please respond to the following questions:

- a. Have you ever failed to complete any work awarded to you? If so, where and why?
- b. Have you ever been declared to be in default on a contract? If so, where and why?
- c. Is there any pending litigation or arbitration which could affect your organization's ability to perform this agreement? If so, please describe.
- d. Has your firm ever had a contract terminated for cause within the past five years? If yes, provide details.
- e. Has your firm been named in a lawsuit related to errors and omissions within the past five years? If yes, provide details.
- f. During the past seven years, has your firm ever filed for protection under the Federal bankruptcy laws? If yes, provide details.
- g. Are there any other factors or information that could affect your firm's ability to provide the services being sought about which the Town should be aware?

5. Exceptions and Alternatives. Proposers wishing to take any exceptions to any requirement in the RFP shall state and explain such exceptions. The Town may accept proposals which take exception to any requirements in this RFP, or which offer any alternative to a requirement herein, as well as consider such exceptions and

alternatives in evaluating responses. Any exception or alternative must be clearly delineated and cannot materially affect the substance of this Request for Proposals.

6. Cost Proposal. Proposers should utilize the Proposal Form included in this RFP as Attachment A, to provide a **total** annual cost. **Additionally**, proposers must attach a breakdown of the cost proposal per month (including hourly rates) utilizing the information contained within Attachment A.

Your proposal should be submitted in a sealed envelope marked McGee Outdoor Classroom = Bid 2024-1 to the Town Manager's Office at the Berlin Town Hall, 240 Kensington Rd, Berlin, CT 06037, until but no later than **1 p.m. EST on 8/17/23**. The Town will not accept submissions by e-mail or fax. Proposers are solely responsible for ensuring timely delivery. The Town will **NOT** accept late proposals.

Proposal prices must be submitted on the Proposal Form included in this RFP. All blank spaces for proposal prices must be completed in ink or be typewritten.

Proposals may be withdrawn personally or in writing provided that the Town receives the withdrawal prior to the time and date the proposals are scheduled to be opened. Proposals are considered valid, and may not be withdrawn, cancelled or modified, for sixty (60) days after the opening date, to give the Town sufficient time to review the proposals, investigate the proposers' qualifications, secure any required municipal approvals, and execute a binding contract with the successful proposer.

An authorized person representing the legal entity of the proposer must sign the Proposal Form and all other forms included in this RFP.

5. QUESTIONS AND AMENDMENTS

Questions concerning the process and procedures applicable to this RFP are to be submitted **in writing** (including by e-mail or fax) and directed **only to**:

Name: Maryssa Tsolis

Position: Purchasing Agent

Email: mtsolis@town.berlin.ct.us

Fax: (860)828-7048

Proposers are prohibited from contacting any other Town employee, officer or official concerning this RFP. A proposer's failure to comply with this requirement may result in disqualification.

The appropriate Town representative listed above must receive any questions from proposers no later than seven (7) days before the proposal opening date. That representative will confirm receipt of a proposer's questions by e-mail. The Town will

answer all written questions by issuing one or more addenda, which shall be a part of this RFP and the resulting Contract, containing all questions received as provided for above and decisions regarding same.

At least four (4) calendar days prior to proposal opening, the Town will post any addenda on the Town's website, www.town.berlin.ct.us. **Each proposer is responsible for checking the website to determine if the Town has issued any addenda and, if so, to complete its proposal in accordance with the RFP as modified by the addenda.**

No oral statement of the Town, including oral statements by the Town representatives listed above, shall be effective to waive, change or otherwise modify any of the provisions of this RFP, and no proposer shall rely on any alleged oral statement.

6. ADDITIONAL INFORMATION

The Town reserves the right, either before or after the opening of proposals, to ask any proposer to clarify its proposal or to submit additional information that the Town in its sole discretion deems desirable.

7. COSTS FOR PREPARING PROPOSAL

Each proposer's costs incurred in developing its proposal are its sole responsibility, and the Town shall have no liability for such costs.

8. OWNERSHIP OF PROPOSALS

All proposals submitted become the Town's property and will not be returned to proposers.

9. FREEDOM OF INFORMATION ACT

All information submitted in a proposal or in response to a request for additional information is subject to disclosure under the Connecticut Freedom of Information. Proposers are encouraged **not** to include in their proposals any information which is proprietary a trade secret or otherwise confidential. All materials associated with this procurement process are subject to the terms of state laws defining freedom of information and privacy, and all rules, regulations and interpretations resulting from those laws.

10. REFERENCES

Each proposer must complete and submit the Proposer's Statement of References form included in this RFP.

11. LEGAL STATUS

If a proposer is a corporation, limited liability company, or other business entity this is required to register with the Connecticut Secretary of State's Office, it must have a current registration on file with that office. The Town may, in its sole discretion, request

acceptable evidence of any proposer's legal status. Each proposer must complete and submit the Proposer's Legal Status Disclosure form included in this RFP.

12. PRESUMPTION OF PROPOSER'S FULL KNOWLEDGE

Each proposer is responsible for having read and understood each document in this RFP and any addenda issued by the Town. A proposer's failure to have reviewed all information that is part of or applicable to this RFP, including but not only any addenda posted on the Town's website, shall in no way relieve it from any aspect of its proposal or the obligations related thereto.

Each proposer is deemed to be familiar with and is required to comply with all federal, state and local laws, regulations, ordinances, codes and orders that in any manner relate to this RFP or the performance of the work described herein.

By submitting a proposal, each proposer represents that it has thoroughly examined and become familiar with the scope of work outlined in this RFP, and it is capable of performing the work to achieve the Town's objectives. If applicable, each proposer shall visit the site, examine the areas and thoroughly familiarize itself with all conditions of the property before preparing its proposal.

13. TAX EXEMPTIONS

The Town is exempt from the payment of federal excise taxes and Connecticut sales tax and use taxes. Such taxes must not be included in prices.

14. AWARD CRITERIA & SELECTION

All proposals will be publicly opened and read aloud as received on the date, at the time, and at the place identified in this RFP. Proposers may be present at the opening.

The Town reserves the right to correct, after proposer verification, any mistake in a proposal that is a clerical error, such as a price extension, decimal point error or FOB terms. If any error exists in an extension of prices, the unit price shall prevail.

The Town reserves the right to accept all or any part of a proposal, reject all proposals, and waive any informalities or non-material deficiencies in a proposal. The Town also reserves the right, if applicable, to award the purchase of individual items under this RFP to any combination of separate proposals or proposers.

The Town will accept the proposal that, all things considered, the Town determines is in its best interests. Although price will be an important factor, it will not be the only basis for award. Due consideration may also be given to a proposer's experience, references, service, ability to respond promptly to requests, past performance, and other criteria relevant to the Town's interests, including compliance with the procedural requirements stated in this RFP.

A. Evaluation Criteria

The following specific criteria are expected to be among those utilized in the selection process. They are presented as a guide for the proposer in understanding the Town's requirements and expectation for this project and are not necessarily all inclusive or presented in order of importance.

- The background experience, and strength of the Proposer in providing similar services elsewhere, including the level of experience in working with other Connecticut municipalities of similar size, and the quality of services performed, either for other school systems or other municipalities, or both.
- The Proposer's responsiveness and compliance with the RFP requirements and conditions to provide the services requested.
- A review of references provided with the Proposal, and administration of prior contracts.
- Competitiveness of proposed fee. The Town reserves the right to negotiate fees with the selected Proposer.

The Town may elect to have the proposals evaluated by a committee as part of making a selection. If deemed necessary, the Town reserves the right to arrange for interviews/oral presentations as part of the selection process, which invitations for interviews may involve a short-listing of the proposals received.

If the proposer does not execute the Contract within ten (10) business days of the date of notification, unless extended by the Town, the Town may call any proposal security provided by the proposer and may enter into discussions with another proposer. **The Town will post the Preliminary Notice of Award and related information on its website, www.town.berlin.ct.us, under "Bid and RFP Information."**

The Interview and Contract Execution dates in Key Dates are anticipated, not certain, dates.

15. ATTACHMENTS

The following attachments are included below and must be completed, as detailed within the RFP.

- A. Proposal Form
- B. References

INDEMNIFICATION

The Vendor at its own expense and without exception, shall indemnify, defend and pay all damages, costs, expenses, including attorney fees, and otherwise hold harmless the Town of Berlin, its employees, and agents, from any liability of any nature or kind in regard to the delivery of these services. The Vendor shall secure and maintain General Liability Insurance as will protect him from claims under the Worker's Compensation Acts and from claims for bodily injury, death, or property damage which may arise from the performance of his services under this contract.

INSURANCE REQUIREMENTS

The selected vendor must maintain insurance that meets the Town's insurance requirements (listed below), to protect the Town from claims for loss or injury which might arise out of or result from the operations under this contract. Additionally, the selected vendor must file Certificates of Insurance with the Town, naming the Town as an additional insured.

Worker's Compensation, employer liability (or statutory limits - greater of two), \$1,000,000.

Comprehensive General Liability with limits of not less than \$1,000,000.00 per occurrence.

Professional Liability with limits not less than \$1,000,000.

Umbrella Liability of not less than \$1,000,000.

Comprehensive Automobile Liability (owned, non-owned, hired) of \$1,000,000.00 each accident.

PERFORMANCE AND PAYMENT BONDS

Performance and payment bonds are required to be submitted with the bid package.

ATTACHMENT A – PROPOSAL FORM
Bid # 2024-01
McGee Middle School Outdoor Classroom

PROPOSER’S FULL LEGAL NAME:

Pursuant to and in full compliance with the RFP, the undersigned certifies this proposal is submitted without collusion and all responses are true and accurate. If awarded this proposal, it is agreed that this forms a contractual obligation to provide services at fees specified in this Proposal Form, subject to and in accordance with all instructions, conditions, requirements contained in the documents, including addenda, which are made part of this proposal.

Total Proposed Cost: \$ _____

NOTE: This document, in order to be considered a valid proposal, must be signed by a principal officer or owner of the business entity that is submitting the proposal. Such signature constitutes the proposer’s representations that is has read, understood and fully accepted each and every provision of each document comprising the RFP, unless an exception is described above.

Name and Title of Authorized Representative

Signature of Representative, Duly Authorized

Date

Phone # and Fax

ATTACHMENT B – PROPOSER’S STATEMENT OF REFERENCES

McGee Middle School Outdoor Classroom

Provide at least four (4) references:

1. PROJECT NAME AND COMPLETION DATE:

CITY, STATE:

BUSINESS/TOWN/SCHOOL NAME:

INDIVIDUAL CONTACT NAME AND PROJECT TITLE:

TELEPHONE:

EMAIL:

2. PROJECT NAME AND COMPLETION DATE:

CITY, STATE:

BUSINESS/TOWN/SCHOOL NAME:

INDIVIDUAL CONTACT NAME AND PROJECT TITLE:

TELEPHONE:

EMAIL:

ATTACHMENT B – PROPOSER’S STATEMENT OF REFERENCES

McGee Middle School Outdoor Classroom

3. PROJECT NAME AND COMPLETION DATE:

CITY, STATE:

BUSINESS/TOWN/SCHOOL NAME:

INDIVIDUAL CONTACT NAME AND PROJECT TITLE:

TELEPHONE:

EMAIL:

4. PROJECT NAME AND COMPLETION DATE:

CITY, STATE:

BUSINESS/TOWN/SCHOOL NAME:

INDIVIDUAL CONTACT NAME AND PROJECT TITLE:

TELEPHONE:

EMAIL:
