

CITY OF WRAY, COLORADO



REQUEST FOR PROPOSALS FOR POOL HEATER REPLACEMENT AT WRAY
AQUATIC CENTER
RFP No. 110-2021

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I. INTRODUCTION

The City of Wray, Colorado (City) is seeking proposals from qualified firms to replace two pool heaters for the Lap Pool and Activity Pool at Wray Aquatic Center. The property is located at 240 W. 6th Street, Wray, Colorado.

II. BID RECIPIENT

Submittals will be accepted no later than **12:00PM (local time), December 1, 2021**, to:

CITY OF WRAY
ATTN: JAMES DEPUE, CITY MANAGER
245 W 4TH STREET
P.O. BOX 35
WRAY, CO 80758
(or)
JDEPUE@CITYOFWRAY.ORG
970-332-4431

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents. For additional details or to answer applicable questions, please contact City Manager, James DePue, at (970) 332-4431.

III. BACKGROUND

Wray Aquatic Center currently has two Lochinvar outdoor, uncovered boilers/heaters (around 20 years old) that heat two separate swimming pools. One unit heats a 40,000 gallon Activity Pool and the other unit heats a 200,000 gallon Lap Pool. Existing heaters utilize natural gas. The City is seeking proposals to complete all work necessary to provide a reliable and efficient natural gas fueled pool heating system prior to the season opening in May 2022.

IV. BIDDER'S ACKNOWLEDGEMENT

Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

V. BIDDER'S REPRESENTATIONS

- A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following exhibits:

Exhibit A: Bid Submittal

- B. Bidder has visited the Site (s), conducted a thorough, alert visual examination of the Site, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site (s); information and observations obtained from visits to the Site (s); the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.
- E. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- F. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- G. Bidder has given Owner written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Owner is acceptable to Bidder.
- H. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- I. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

VI. BIDDER'S CERTIFICATION

Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. “corrupt practice” means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;
 - 2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 - 4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

VII. BASIS OF BID

Bidder will complete the following Scope of Work in accordance with the Contractor Agreement:

- A. Contractor to provide all labor, materials and equipment to complete the project.
- B. Contractor is responsible for damage to any existing features, and shall be repaired in-kind by the contractor at their cost.
- C. Contractors are responsible for verifying all measurements and information prior to beginning work.
- D. The Contractor will furnish the city with a beginning date and ending date for the work to be completed.

- E. Contractor is responsible for jobsite cleanup and for hauling all debris created as a result of project to an acceptable disposal site. Disposal ticket shall be retained and forwarded to City.
- F. Contractor is responsible for acquiring required permits.
- G. Contractor is responsible for providing the owner with a copy of the final signed permits.

VIII. SCOPE OF WORK

- H. The Wray Aquatic Center is a seasonal public pool facility with two individual pools, a Lap Pool (200,000 gallons) and an Activity Pool (40,000 gallons). Heaters on both pools were installed in 2002, and have reached their useful life and require replacement. Current heaters are Lochinvar and fueled by natural gas. The location for the two heaters is 240 W 6th Street, Wray, Colorado.
- I. All proposals shall include, but not limited to, all materials, labor, plumbing parts, removal of fencing if needed, tax and shipping/freight for the installation of the heater, testing of heaters, as well as any costs associated with proper removal and disposal of old heaters.
- J. The city requests a description of firm's experience as it relates to installation of pool heater replacement.

IX. TIME OF COMPLETION AND PRELIMINARY SCHEDULE

- A. The Bidder will furnish the city with a beginning date and ending date for the project(s).
- B. The City will extend days for completion depending on weather conditions; the City Manager will have final determination on any extension of time. Bidder accepts the provisions that for any delay that does not constitute an excusable delay under Section 108.09, of the CDOT Green Book, which is necessary to substantially complete the project, the Owner will deduct a daily charge of \$300.00 per calendar day as liquidated damages from the Contract price.
- C. Preliminary Project Schedule is as follows:
 - November 3, 2021: First Publication of RFP Notice
 - November, 2021: Meeting/Site Visit by appointment if needed
 - December 1, 2021: Proposals Due to the City of Wray by 2:00PM
 - January, 2022: Bids Reviewed by the Wray City Council
 - Spring 2022: Work May Begin (Subject to City Approval)
 - April, 2022: Project completion and final inspection.

X. ATTACHMENTS TO THIS BID

- A. The following documents are submitted with and made a condition of this Bid:
 - a. **Exhibit A: Bid Submittal**

XI. BID SECURITY

- A. A Bid must be accompanied by Bid security made payable to Owner in an amount of five percent (5%) of Bidder's maximum Bid price and in the form of a certified check, bank money order, or a Bid bond issued by a surety from surety companies that are duly licensed or authorized in the jurisdiction in which the Project is located to issue bonds in the required amounts.
- B. The Bid security of the apparent Successful Bidder will be retained until Owner awards the contract to such Bidder, and such Bidder has executed the Contract Documents, furnished the required contract security, and met the other conditions of the Notice of Award, whereupon the Bid security will be released. If the Successful Bidder fails to execute and deliver the Contract Documents and furnish the required contract security within 15 days after the Notice of Award, Owner may consider Bidder to be in default, annul the Notice of Award, and the Bid security of that Bidder will be forfeited. Such forfeiture shall be Owner's exclusive remedy if Bidder defaults.
- C. The Bid security of other Bidders that Owner believes to have a reasonable chance of receiving the award may be retained by Owner until the earlier of seven days after the Effective Date of the Contract or 61 days after the Bid opening, whereupon Bid security furnished by such Bidders will be released.
- D. Bid security of other Bidders that Owner believes do not have a reasonable chance of receiving the award will be released within seven days after the Bid opening.

XII. SUBMISSION REQUIREMENTS

- A. Bidder must compete and submit the itemized bid submittal form (Exhibit A) of RPF.
- B. Bidder must provide a certificate of liability and worker's compensation, with the City of Wray as additionally insured.
- C. Bidder must be a Colorado Certified Asbestos Abatement Contractor. Provide certification and expiration date.
- D. For proposals that exceed \$50,000 the following requirements are applicable:
 - 1) Performance Bond will be in an amount not less the one hundred percent (100%) of the Contract Price but, in any event, shall provide for the completion of the project in accordance with the Contract Documents, with additional cost to the Owner.
 - 2) Payment Bond will be in an amount not less than one hundred percent (100%) of the Contract Price but, in any event, shall provide for the payment of all project costs in accordance with the Contract Documents, without additional cost to the Owner.
 - 3) Maintenance Bond will be so conditioned as to provide for the correction or replacement of any portion of the Work that proves defective in materials or workmanship for a period of one year following final acceptance of the project

and shall cover not only the material but also the costs of removal, correction, re-construction and any other costs incurred in the repair of defective portion of the Work.

XIII. CONTENTS OF PROPOSAL

The bidders interested in this project shall submit one (1) PDF copy, and/or one (1) hard copy of the proposal package. The proposal package shall include, but not be limited to, the following:

1. Provide the name, address, and daytime telephone number for the individual authorized to enter into a contract with the City. Specify the name of the project supervisor if different.
2. Provide a completed itemized bid submittal form (Exhibit A) for the following:
 - a. Removal of existing heaters and disposal costs.
 - b. Installation of new heaters
 - c. Cost of two new energy efficient heaters
 - d. Documentation and reporting
3. Provide a written statement outlining the timeline as well as an estimated completion date with the following items:
 - a. Award date (Assume 5 days after City Council acceptance)
 - b. Contracting (Assume 10 days after award)
 - c. Mobilization
 - d. Phasing
 - e. Completion
4. Please list clients, including name and addresses, for which your company has completed similar work in the last two years.
5. Include a brief background information on your company, including the closest office location to the aforementioned property site for this project.
6. Provide name and address of proposed disposal site for heaters and other material.
7. Provide a certificate of insurance to the City of Wray to prove that the contractor has liability coverage for not less than One Hundred Thousand Dollars (\$100,000) for property damage, Five Hundred Thousand (\$500,000) to any person for any number of claims arising out of a single occurrence for all damages other than property, and an aggregate of One Million Dollars (\$1,000,000) for all claims arising out of a single occurrence. The contractor must also provide proof of Workers Compensation insurance or proof that the contractor is otherwise fully complying with the Workers Compensation laws of the State of Colorado.

XIV. TERMS AND CONDITIONS

1. Proposers are expected to examine exhibits, specifications, schedule of delivery, and all instructions. Failure to do so will be at the bidder's risk.
2. Each bidder shall furnish the information required in the Request for Proposals.
3. The Contract/Purchase Order will be awarded to the responsible bidder whose

submittal, conforming to the Request for Proposals, will be most advantageous to the City of Wray, price and other factors considered.

4. Any interpretation, correction or change of the RFP documents will be made by Addendum. Interpretations, corrections and changes of the RFP documents made in any other manner will not be binding, and proposer shall not rely upon such interpretations, corrections and changes. The City's Representative will not be responsible for oral clarification.
5. All submittals must be received at the address and by the date and time specified herein.
6. Any submittal received after the identified date and time will be returned unopened.
7. Following the selection process, the proposal for the selected Proposer shall be made available for public review, except for any items that the Proposer has requested, in writing, to remain confidential under applicable law.
8. The City of Wray reserves the right to reject any or all proposals, to waive any informalities or irregularities therein, and to negotiate other terms in the proposals.

XV. PROJECT TIMELINE

November 3, 2021:	First Publication of RFP Notice
November, 2021:	Meeting/Site Visit by appointment if needed
December 1, 2021:	Proposals Due to the City of Wray by 2:00PM
January, 2022:	Bids Reviewed by the Wray City Council
Spring 2022:	Work May Begin (Subject to City Approval)
April, 2022:	Project completion and final inspection.

XVI. REQUESTS FOR CLARIFICATION

Any requests for clarification of additional information deemed necessary by any respondent to present a proposal shall be submitted in writing, via postal service or email, to James DePue, City Manager referencing this request.

Written requests must be received a minimum of five (5) calendar days prior to the submission deadline. Any requests received after this deadline will not be considered. All requests received prior to the deadline will be responded to by James DePue in the form of an addendum addressed to all prospective respondents.

Direct contact with City elected officials or City staff (with the exception of the City Manager) during the selection process, except when and in the manner expressly authorized by the Request for Proposal documents, is strictly prohibited and may render the submittal as non-compliant. Violation of this requirement is grounds for disqualification from the process.

XVII. EXHIBITS

- a. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following exhibits included and incorporated into this RFP:

- i. Exhibit A: Bid Submittal

EXHIBIT A: BID SUBMITTAL FORM

Bidder: [Please provide name, address, phone number and contact name of bidding entity]

Additional information to be submitted with Bid.

1. Please list projects that your company has completed of similar nature. Include at least 3 references.

Break out pricing as follows:

Provide a price for each item as listed below and Alternates if any. The Contract/Purchase Order will be awarded to the responsible bidder whose submittal, conforming to the Request for Proposals, will be most advantageous to the City of Wray, price and other factors considered.

The City of Wray reserves the right to reject any or all proposals, to waive any informalities or irregularities therein, and to negotiate other terms in the proposals.

ITEM	DESCRIPTION/ SIZE	QTY	RATE	TOTAL AMOUNT
Heater for Lap Pool (200,000gal)		1		
Heater for Activity Pool (40,000 gal)		1		
Other Items:				

Installation Service/Labor (hrs)				
TOTAL PRICE				

TOTAL PRICE: All the work associated with underground irrigation control system and material as described in project scope and specifications:

Estimated time to complete work after award of contract: _____ Weeks

Materials Vendor(s) : _____

Additional Information:

Bidder: [Indicate correct name of bidding entity]

By:

[Signature]:

[Printed name]:

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

[Signature]

[Printed name]

Title:

Submittal Date:

Address for receiving notices:
