



**Thea Bowman Leadership Academy
Gary, Indiana**

**Request for Proposal (RFP)
Playground**

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SECTION 01: OVERVIEW

- A. Thea Bowman Leadership Academy (“TBLA” or the “school”) is an Indiana charter school located in Gary, Indiana. TBLA serves students in grades K-12 with a total enrollment of ~800 students, with plans to support up to 1,000 students.
- B. **GENERAL SCOPE.** TBLA is soliciting emailed proposals to establish a contract through competitive negotiations for the procurement of playground equipment, including expansion of their current playground and to add a secondary playground, and installation.
- a. TBLA is seeking Contractor(s) who possess the experience, ability and resources to provide playground equipment, and installation. TBLA desires high quality, competitively priced equipment that is manufactured and installed per ADA requirements; consumer product safety standards for playground equipment and surfacing; Building Codes; federal, state, and local requirements and regulations; and TBLA expectations.
 - b. The complete range of services such as, but not limited to, installation, design, layout, disposal of old mulch, and any other related services to provide customer support.
 - c. All equipment will conform to the most recent Consumer Product Safety Commission (CPSC), American Society for Testing and Materials (ASTM) and International Play Equipment Manufacturers Association (IPEMA) warranty and standards specifications.
 - d. All equipment will comply with the American Disabilities Act (ADA) regulations.
 - e. Assess, evaluate and determine the safety and operational status of the various types of equipment, structures and fixtures found within educational playgrounds facilities. Provide a complete and comprehensive report identifying areas of concern and equipment needing maintenance, repair and/or replacement.
 - f. Develop a short-term action plan to remediate, resolve and/or remove any unsafe conditions.
 - g. Provide TBLA with necessary construction services for site preparation (*including permitting if needed*) and installation of all equipment offered under this RFP.
 - h. Provide TBLA employees with the necessary training and support services to allow their staff to conduct safety inspections, to perform maintenance according to manufacturer's instructions, and install equipment, structures and fixtures according to manufacturer's specifications.
 - i. Upon request, provide the labor, equipment, supplies and materials to inspect existing facilities and make any maintenance and repairs required to bring the facility into good working order.

More detailed requirements can be found below.

C. SELECTION SCHEDULE

Advertisement: This RFP will be published on TBLA's website from Wednesday, April 5, 2023 to Wednesday, April 19th, 2023.

Site Visit Walkthrough Date at TBLA: April 12th from 10:00 AM - 2:00 PM

Submission of Proposals Due: Proposals will be accepted until 4:00 p.m. Wednesday, April 19, 2023.

Proposal Opening: Proposals will be opened at 8:00 a.m. Wednesday, April 5, 2023.

Review of Submitted Proposals: Thursday, April 20, 2023 through Friday, April 21, 2023.

Tentative Award Date: Approximately Wednesday, April 26, 2023 pending board approval.

Bidder to Provide Equipment and Services: The entire project **MUST** be completed and billed no later than **Friday, September 15th 2023.**

- D. **AWARD OF CONTRACT.** The contract will be awarded to the Bidder whose proposal is determined to be the most advantageous to the school, taking into consideration evaluation factors set forth in the RFP. No other factors or criteria will be used in the evaluation. The final determination shall be in writing. The contract file will contain the basis on which the award is made. The school can reject any and all proposals, and it can waive any informality or technicality in any proposal received if it determines it would serve the best interests of the school. Following the award decision, all Bidders will be notified and all proposals become public information.

TBLA reserves the right to award any resultant contracts(s) as a whole or split award between competing parties. TBLA reserves the right to evaluate the proposal for each item separately. Selection of a proposal does not mean that all aspects of the proposal are acceptable. TBLA reserves the right to discuss proposals and negotiate modification of the proposal prices, terms, quantity, and conditions with any responsive, responsible quoting party who submits a proposal determined to be reasonably susceptible of being selected for the award, in conjunction with the award criteria contained herein, prior to the selection of the accepted proposal and/or the execution of a contract, to ensure satisfactory procurement.

- E. **EVALUATION CRITERIA.** Awards will be made to the bidder(s) whose bid or proposal meets the requirements and criteria set forth by the school system and whose offer is determined to be the most advantageous to the school, taking into consideration quality, performance, and the time specified in the proposal for the performance of the contract. Contract(s) shall be awarded to the person or entity that submits the best overall proposal as determined by the awarding authority using the criteria set forth below.

Requirement(s)	Points
Proposal Price	30
Experience	20
Scope of Services	20
Local Preference – Geographic Proximity (20 points)	20
Personnel Qualifications	05
Quality of References	05

- F. **CONTACTS.** Except for the designated contacts listed below, Bidders are not permitted to communicate with TBLA staff regarding this solicitation during the period between the RFP issue date and the announcement of the award.

- G. **QUOTES.** All quotes should include detailed line items and subtotals along with the total price. All proposals must indicate that they are valid for no less than ninety (90) days from the proposal due date.

The Bidder's written proposal will be the basis for selection. However, following initial screening of all quotes received, TBLA may request additional information, clarification, or an onsite presentation.

By submitting a quote, the Bidder represents it has read and clearly understands this RFP and it is capable of providing the required services on the agreed contract commencement date.

- H. **COLLUSION.** Bidders are not to collude with other Bidders and competitors or take any other action which will restrict competition. Evidence of such activity will result in rejection of the quote.

SECTION 02: PROPOSAL INFORMATION

- A. Proposals must be submitted by the due date and time and in compliance with Section 03 of this RFP.
- B. The goods and services required and offered in a proposal should meet the needs described below. Only one proposal may be submitted and considered per Bidder. Bidders may include any special or unique services they plan to provide.
- C. Submission of a proposal will be construed to mean that the Bidder understands the requirements contained herein, and the Bidder can supply the described services.
- D. A register of proposals will be prepared and shall be open for public inspection after the contract is awarded. The school will cooperate with all potential Bidders, to the extent reasonably possible, in their attempt to obtain information. Discussions may be conducted with Bidders who submit proposals for the purpose of assuring full understanding of, and responsiveness to, the solicitation requirements.
- E. Selection of the successful Bidder will form a contract pursuant to which the successful Bidder must honor for the school the prices for the equipment and services along with the other terms and conditions outlined in the successful proposal. All pricing and other terms must be honored through the entirety of the project. Therefore, if selected, the successful Bidder must be prepared to execute an agreement with the school pursuant to which it will provide the services and equipment on the terms and conditions outlined in the successful proposal. The successful Bidder must be willing to enter into an agreement with the school in substantially the form set forth in Schedule 1 of this RFP.
- F. It is understood that the school reserves the right to accept or reject any or all proposals and/or to waive any or all formalities in any proposal or in the proposal process deemed to be in the best interests of the school. No agreement exists on the part of TBLA until a contract is approved and executed by the school's Board of Directors.
- G. Proposals received by any unapproved form are not acceptable and will not be considered.

- H. All inquiries, questions or requests for clarification must be submitted via email to Antoinette Troupe at atroupe@theabowmanacademy.org or Marisa Simmons at msimmons@theabowmanacademy.org. Submissions and received prior to the Submission of Proposals Due date and time.
- I. This RFP does not obligate the school to pay for any costs of any kind whatsoever that may be incurred by a Bidder or any third parties in connection with a response proposal. All responses and supporting documentation shall become property of the school. Further, the school shall not be liable to any Bidder, person, or entity for any losses, expenses, costs, claims or damages of any kind arising out of, by reason of, or attributable to, the Bidder responding to this RFP.
- J. Acceptance of an offer by the school does not obligate the school to enter into a contract with or purchase any item from the Bidder, and no agreement to purchase will exist on the part of the school until an agreement is properly approved by the school's board of directors.

SECTION 03: PROPOSAL REQUIREMENTS

Potential Bidders are hereby invited to submit a proposal to be TBLA for their playground(s).

FORMS. It is mandatory that each proposal contain the forms listed in Appendix A.

SUBMISSION. Proposals must be submitted by email to Antoinette Troupe at atroupe@theabowmanacademy.org or Marisa Simmons at msimmons@theabowmanacademy.org in PDF format. The email message submitting the proposal must have a subject line reading "PROPOSAL FOR TBLA PLAYGROUND" and be submitted on or before the **Submission of Proposals Due** date and time.

SAM.GOV. Service providers must be registered with sam.gov, or will be before the delivery date of services.

DAVIS BACON ACT. The project must adhere to the Davis Bacon Act.

Under the Davis-Bacon and Related Acts and Reorganization Plan No. 14 of 1950, the U.S. Department of Labor is responsible for determining prevailing wages, issuing regulations and standards to be observed by federal agencies that award or fund projects subject to Davis-Bacon labor standards, and overseeing consistent enforcement of the Davis-Bacon labor standards.

The Davis-Bacon and Related Acts apply to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area.

The Davis-Bacon Act directs the Department of Labor to determine such locally prevailing wage rates. The Davis-Bacon Act applies to contractors and subcontractors performing work on federal or District of Columbia contracts. The Davis-Bacon Act prevailing wage provisions apply to the "Related Acts," under which federal agencies assist construction projects through grants, loans, loan guarantees, and insurance.

SECTION 04: EVALUATION CRITERIA

Note: Proposals that are not compliant with proposal specifications will not be considered.

Proposal Price (30 Points): This criterion is based on the Bidder's budget and estimated pricing. This includes the Bidder's ability to provide a budget that is thorough, specific, and supports the needs of the school. The points assigned to each Bidders cost proposal will be based on the lowest proposal price.

Experience (20 points): This criterion is based on the overall depth and quality of the Bidder's experience providing the required services to charter schools (or similar) as demonstrated in the proposal. A Bidder's experience working with current clients who are charter schools will be weighted more heavily.

Scope of Services (20 points): This criterion is based on the Bidder's demonstrated expertise and ability to provide the full scope of required services to charter schools. This criterion includes the Bidder's willingness to enter into a service agreement on substantially the terms proposed.

Local Preference – Geographic Proximity (20 points): This criterion is based on the Bidder's geographic proximity to TBLA's schools and its ability to otherwise provide required services in a timely manner. A Bidder's close proximity to the school will be weighted more heavily.

Personnel Qualifications (5 points): This criterion is based on the demonstrated qualifications of the Bidder's personnel.

Quality of References (5 points): This criterion is based on the information obtained regarding the quality of the Bidder's services from the references provided. Information obtained from references that are charter schools (or similar) currently working with the Bidder will be weighted more heavily.

Total points available based on Evaluation Criteria: 100 points

APPENDIX A REQUIRED RESPONSE FORMS

Instructions: The following forms **MUST** be completed and submitted as part of the Proposal.

Appendix A01: Contractor Cover Letter with Information

Appendix A02: Pricing Proposal for Services

Appendix A03: Subcontractors

Appendix A05: References

Appendix A06: Familial Relationship Affidavit

Appendix A07: Non-Collusion Affidavit

A Proposal must include a completed copy of each form, in the order listed above. Failure to submit each of the above forms may be cause for rejection of a Proposal.

APPENDIX A01 CONTRACTOR COVER LETTER WITH INFORMATION

Prospective Bidders are required to submit a written "Contractor Cover Letter with Information" via email. By submitting a "Contractor Cover Letter with Information", a prospective Bidder will receive future amendments and notices concerning this RFP.

It is mandatory that each proposal contain a cover letter which includes the following:

- A statement of the Bidder's intent to provide the services outlined in the proposal;
- The complete company name and address;
- The company contact person's name, phone number, and email address;
- The company's website, if applicable;
- The signature of the company's authorized representative, including position/title;
- The date of submission.

Submission of a proposal will be construed to mean that the Bidder understands the requirements contained herein, and the Bidder can supply the described services.

Authorized signature in the cover letter certifies that the Proposal as submitted complies with all Terms and Conditions as set forth in this RFP.

Authorized signature also certifies that this company has no business or personal relationships with any other company or person that could be considered a conflict of interest or potential conflict of interest with TBLA, and that there are no principals, officers, agents, employees, or representatives of this company that have any business or personal relations with any other companies or persons that could be considered a conflict of interest or a potential conflict of interest with TBLA, pertaining to any and all work or services to be performed as a result of this RFP and any resulting Contract with TBLA.

APPENDIX A02 PRICING PROPOSAL

1. **SERVICES.** Complete and submit pricing for each service(s) proposed.

APPENDIX A03 SUBCONTRACTORS

List any subcontractors that will or may be used. Provide the following:

Subcontractor Name

Subcontractor Address

Subcontractor Phone Number

Have you worked with this subcontractor within the last 12 months?

What scope of work will this subcontractor perform?

APPENDIX A04 REFERENCES

Please list the entities for which your company has provided any of the services contemplated by this RFP. Attach an additional sheet if necessary.

Preference is given for K-12 schools for which this service is currently being performed by your company, or has been performed within the past three (3) years by your company.

REFERENCE INFORMATION

Reference Company/Organization Name:

Contact Name:

Contact Phone Number:

Date of Service Initiation:

Date of Service Completion:

Services Provided:

APPENDIX A05 FAMILIAL RELATIONSHIP AFFIDAVIT

THE AFFIDAVIT SET FORTH BELOW MUST BE EXECUTED ON BEHALF OF THE Bidder AND FURNISHED WITH EVERY BID

FAMILIAL RELATIONSHIP AFFIDAVIT

STATE OF _____
COUNTY OF _____
TAX ID#: _____

_____, being duly sworn, deposes and states that they are the _____ (title) of "Bidder," which has submitted to the School a Proposal to provide services as the Technology Services Provider, and hereby represents and warrants, except as provided below, that no familial relationships exist between the Bidder or any employee of the Bidder, the charter management company, and any member of the Board of TBLA or the staff of TBLA.

(If no exceptions, please state.)

List any Familial Relationships:

Affiant's Signature

On this _____ day of _____, 2023, before me, a Notary Public, in and for the above-referenced county, personally appeared _____, who made oath that they have read the foregoing Affidavit of Bidder – Familial Relationships, by they signed and that the contents thereof are true, except as to those matters stated therein to be based on information and belief, and as to those matters, he believes same to be true.

_____, Notary Public State of Indiana, County of _____
My commission expires: _____,
Acting in the County of _____, Indiana

APPENDIX A06 NON-COLLUSION AFFIDAVIT

THE AFFIDAVIT SET FORTH BELOW MUST BE EXECUTED ON BEHALF OF THE Bidder AND FURNISHED WITH EVERY BID

NON-COLLUSION AFFIDAVIT

STATE OF _____
COUNTY OF _____
TAX ID#: _____

_____, being duly sworn, deposes and states that they are the _____ (title) of "Bidder," which has submitted to the School a Proposal to provide services as the Technology Services Provider. Except as specified below, the Bidder constitutes the only firm having any interest in the Proposal or in any contract, benefit or profit which may, might or could accrue as a result of said Proposal, said exceptions being as follows:

(If no exceptions, please state.)

Affiant further states that said Proposal is, in all respects, fair and is submitted without collusion or fraud, and that no employee, administrator or Board member of TBLA is directly or indirectly interested in the Proposal.

Affiant's Signature

On this _____ day of _____, 2023, before me, a Notary Public, in and for the above-referenced county, personally appeared _____, who made oath that they have read the foregoing Non-Collusion Affidavit, by they signed and that the contents thereof are true, except as to those matters stated therein to be based on information and belief, and as to those matters, he believes same to be true.

_____, Notary Public State of Indiana, County of _____
My commission expires: _____,
Acting in the County of _____, Indiana

