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# ***CITY OF CONWAY***

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Phone (843) 397-2539

CITY OF CONWAY  
P.O. DRAWER 1075  
CONWAY, SOUTH CAROLINA 29528

Fax (843) 397-2883

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## **Scarborough Alley Outdoor Restrooms**

Request for Proposals for the construction of outdoor restrooms located at Scarborough Alley Conway, SC. For further information, please contact Robert Cooper, Construction Services Director at 843-488-9888. The City reserves the right to delete any section from the bid as it deems appropriate.

**DUE DATE/TIME: Thursday August 31, 2023 @ 10:00 AM**

### **POINT OF RECEIPT:**

City of Conway  
c/o Amanda Hooper  
PO Drawer 1075  
Conway, South Carolina 29528

Physical Address:  
City of Conway - City Shop  
2940 Jerry Barnhill Blvd.  
Conway, South Carolina 29527

Requests for information regarding this Request for Proposals should be directed in writing by either letter or e-mail to the Amanda Hooper ( [ahooper@cityofconway.com](mailto:ahooper@cityofconway.com) ).

## CITY OF CONWAY

The City of Conway is accepting sealed bids for a contractor to construct outdoor restrooms located at Scarborough Alley Conway, SC 29526.

**Job must be completed by January 15, 2024 from time contract is awarded.**

The Contractor will be responsible in following all applicable City ordinances, federal, state, and county laws and regulation. The contractor and surety shall indemnify, defend, and save harmless the city, all of its officers, representatives, agents and employees against any claim or liability arising from or based on the violation of any such laws, regulations, ordinances, order or decree whether by itself or its employees.

The Contractor will be responsible in following all applicable City Ordinances and all work performed will be according to the applicable codes.

**Contractor will be responsible for obtaining all permits that are required for these projects. All bidders must hold Proper License for this work at the time of the bid. Must have a City Business License prior to beginning any work. All work must be completed and turned in to the City in a reasonable time frame.**

The City of Conway Construction Services Department will be available as needed during this project.

**Bidders are required to conduct a site visit prior to bidding this project. Bidders must verify dimensions in person. Site visits can be scheduled by contacting Robert Cooper @ 843-488-9888. Copy of license must be submitted with the bid.**

The project Scarborough Alley Outdoor Restrooms will be received in the Procurement Office which is located at 2940 Jerry Barnhill Blvd., until **Thursday August 31, 2023 @ 10:00 AM**, at which time only the names of the Offerors and bids amounts will be announced. Any proposal received later than the specified time /date will **not** be accepted /considered. Before the final selection is made, all evaluation factors will be taken into consideration before awarding a contract for services. City reserves the right to accept or reject any or all bids.

***All proposals shall be sealed and list the title of the current bid.***

**Title: Scarborough Alley Outdoor Restrooms**

**Project: 23-8BS1**

***To mail, please send the bid to:***

**City of Conway  
c/o Amanda Hooper  
PO Drawer 1075  
Conway, SC 29528-1075**

**Physical Address:**

**City of Conway  
c/o Amanda Hooper  
2940 Jerry Barnhill Blvd.  
Conway SC 29527**

**Please submit two (2) original response.** Any negotiated contract is subject requirements provided for in any applicable City of Conway Codes and Ordinances.

## **REQUEST FOR PROPOSAL**

**I-1 PURPOSE** The Request for Bid for Scarborough Alley Outdoor Restrooms.

**I-2 Procurement** This RFP is issued for the City of Conway, South Carolina. The Procurement Department is the sole point of contact for this RFP.

**I-3 TYPE OF CONTRACT** A contract shall be awarded to the most qualified firm at compensation deemed reasonable to the City of Conway, utilizing standard contract form. Should it be impossible to negotiate a satisfactory contract, negotiations shall be formally terminated. It is the City's intention that the most qualified bidder, based on both bid amount and bidders qualifications, be selected for this project.

**I-4 FIRM RESPONSIBILITIES** The selected firm shall be required to assume responsibility for all services offered under this proposal. Furthermore, the City shall consider the selected firm to be the sole point of contact for contractual matters, including payment of any and all charges resulting from the contract.

**I-5 EVALUATION FACTORS** The following criteria shall be used in format. The arrangement of the criteria is not meant to imply order of importance in the selection process.

- a. Specialized experience or technical expertise of the firm, qualifications of its professional personnel and all parties proposed for the project, and proposed approach in connection with the type of services to be provided and complexity of the project;
- b. Past record of related experience on similar projects/contracts with the City and other clients, including quality of work, timeliness, cost control, and financial stability;
- c. Capacity of firm to perform the work within time limitation, taking into consideration the recent current and projected workload of the firm. Bidder proposal shall include an estimated time frame for completion of the project.
- d. Familiarity of the firm with the type of problems applicable to the project
- e. Cost

**I-6 INCURRING COSTS** The City shall not be liable for any cost incurred by firms prior to issuance of a contract.

**I-7 ECONOMY OF PREPARATION** Proposals should be prepared in a timely and economical manner, providing a straight forward, concise description of the firms' ability to meet the requirements of the RFP. Emphasis should be on completeness and clarity of content.

**I-8 RESPONSE DATE** To be considered, proposals must arrive at the Procurement Department on or before the date and time specified in the cover letter. Firms mailing proposals should allow normal mail delivery time to ensure timely receipt of their proposals. Telefacsimile submissions are not permissible.

**I-9 ACCEPTANCE OF PROPOSAL CONTENT** The contents of the proposal of the successful proposer may become part of the contractual obligations, if a contract ensues. Failure of a successful proposer to accept these obligations may result in cancellation of the award. All bids are to remain in effect for ninety (90) days from the date of bid opening.

**I-10 GRIEVANCE** Any actual or prospective bidder or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the Procurement Department.. The protest shall be submitted in writing within fourteen -(14) days after such aggrieved person knows or should have known of the facts giving rise thereto provided that grievance has been made in accordance with bid proposal requirement. The Procurement Department will consult with the City Administrator to try and resolve the issue. If the protest is not resolved by mutual agreement, a decision will be issued in writing within 10 days after the last meeting to reach an agreement. If all attempts have failed to resolve the disagreement, the protester has the right to bring the issue to City Council.

**I-11 TIE BIDS** Tie Bids will be resolved in accordance with the City of Conway's purchasing regulations. If the city receives two or more bids that are identical in nature and amount, the contract shall be awarded to the local bidder (if applicable). If two or more of the tie bids are submitted by local bidders, the contract shall be awarded to one of the local bidders by drawing of lots in the public. If local bidders are not involved in the tie bids, the contract shall be awarded to one on the non-local tie bidders by drawing of lots in public.

**I-12 LOCAL VENDOR PREFERENCE** The City of Conway uses local vendor preference component in its purchasing process in order to promote business with local vendors. The entire local vendor preference ordinance can be viewed on the city's website at [www.cityofconway.com](http://www.cityofconway.com) or you may obtain a copy of the ordinance upon request from Amanda Hooper, City of Conway, PO Drawer 1075, Conway, SC 29528.

## INSTRUCTIONS TO PROPOSERS

Sealed proposals shall be enclosed and secured in an envelope/package and properly marked and displayed on outside of envelope/package bearing the name, license number (if applicable) and address of proposer, proposal number and project identification. No other information shall be included or written on the outside of the proposal envelope/package. The City of Conway shall not be responsible for unidentified proposals. Proposals should be addressed to:

**Amanda Hooper  
City of Conway  
PO Drawer 1075  
Conway, South Carolina 29528**

**Physical Address:  
Amanda Hooper  
City of Conway  
2940 Jerry Barnhill Blvd.  
Conway, South Carolina 29527**

Hand delivered proposals should be delivered to the above physical address.

Proposals shall be submitted no later than **Thursday August 31, 2023 @10:00 AM** at the address stated above. **Only the names of the offerors and bid amounts will be announced.** Proposals received later than the 10:00 AM deadline will be considered "**LATE PROPOSALS.**"

Examination of the Bid Document - Prior to submitting a proposal, each proposed shall carefully examine the RFP documents, study and thoroughly familiarize himself/herself with the specifications/requirements thereof and notify Owner of all conflicts, errors, or discrepancies.

The proposer shall sign his proposal correctly. All offers shall be entered in ink or typewritten. Proposals may be rejected if any omissions, alteration of form, additions not called for, or any irregularities of any kind are shown. The proposer's name and solicitation number shall be included when specifications or descriptive papers are submitted with their proposal.

By submission of a proposal, the proposer guarantees that all goods and services meet the requirements of the solicitation during the contract period.

**Bond Security-** Any bid that is in excess of \$25,000.00 will be required to supply a 5% bid bond with their bid. Any awarded contract in excess of \$50,000.00 a performance/payment bond will be required (per Conway City Ordinance).

**Questions** - Submit written questions to Amanda Hooper at: Fax # (843)397-2883, e-mail ahooper@cityofconway.com. Proper reference to this Request for Proposals is required. Deadline for questions is seven - (7) calendar days prior to the proposal receipt date.

All changes to RFP documents shall be in the form of an addendum and furnished to all proposers. Verbal information obtained otherwise will not be considered in the awarding of the proposal.

**Deviations** - Any deviations from the RFP requirements indicated herein must be submitted in writing and clearly noted and explained in detail on a separate form and attached to the submitted proposal, otherwise it will be considered that items offered are in strict compliance with these requirements and successful proposer shall be held responsible therefore.

City of Conway reserves the right to reject any or all proposals and further reserves the right to waive technicalities and formalities in proposals as well as to accept in whole or in part such proposal or proposals where it deems it advisable in protection of the best interest of the City. The City shall be the sole judge as to whether proposals submitted meet all requirements contained in this solicitation.

This solicitation does not commit the City of Conway to award a contract, to pay any costs incurred in the preparation of the proposal, or to procure or contract for goods or services listed herein.

### **Freedom of Information Statement**

Procurement information shall be public record to the extent required by Chapter 3 of Title 30 (The Freedom of Information Act), South Carolina Code of Laws, 1976, with the exception that commercial or financial information obtained in response to a "Request for Proposals" which is privileged and confidential if so designated by the proposer shall not be disclosed. Such information must be clearly marked as "**CONFIDENTIAL**" by the offeror for each section of information so affected. Privileged and confidential information in specific detail nor customarily released to the general public, the release of which might cause harm to the competitive position of the party supplying the information. Examples of this type of information would include:

- 1) Customer lists:
- 2) Design recommendations and identification of prospective problem areas under a RFP;
- 3) Design concepts, including methods and procedures:
- 4) Biographical data on key employees of the bidder/proposal.

**Liability Coverage-** The successful proposer shall provide certificates of all required insurance(s), including worker's compensation, premises liability and general liability. Worker's compensation shall include a minimum limit of \$100,000 and comprehensive general liability coverage shall provide minimum limits of liability of \$1,000,000 per occurrence. Insurance shall indemnify the City of Conway against any and all claims arising under or as a result of the performance of the contract. The City of Conway shall be named as an additional insured on all liability policies. The City of Conway must be provided thirty (30) days notice prior to cancellation, modification or reduction in limits of any stipulated insurance.

### **Acceptance or Rejection of Bid**

**The City of Conway reserves the right to accept or reject any/or all bids when such rejection is in the best interest of the City of Conway to reject Proposal of Bidder who has not met the prerequisites on the bid proposal, who has previously failed to perform properly or complete on time contracts of a similar nature; and to reject proposal of bidder who is, in the opinion of the City of Conway, not in a position to perform the contract. The City of Conway also reserves the right to waive any information and technicalities in bidding. The City of Conway reserves the right to waive irregularities and to reject any and all bids.**

## INFORMATION REQUIRED FOR CONSIDERATION

**(Exact format of this must be followed in response)**

1. **References:** Provide the name, address, and telephone number of at least three-(3) appropriate references familiar with the quality of work done by the firm on similar projects.

### **THE PROPOSAL SHALL INCLUDE THE FOLLOWING:**

- **COST ESTIMATION**
- **Certification of Professional Liability and Worker's Comp**
- **Performance Bond if Required**
- **Proof of liability Insurance**
- **Site Visit Certification**
- **License**
- **Indemnification Form**
- **Non-Collusion Affidavit Form**
- **Acknowledgement of Addenda**
- **Bid Proposal Form**
- **Three Reference**

**Make sure that all of this information is included in Proposal Package.**



## INDEMNIFICATION

(This form is Part of the Response)

The Offeror/Contractor will indemnify and hold harmless the **OWNER**, the **City of Conway** and their agents and employees from and against all claims, damages, losses and expenses, including attorney's fees, arising out of or resulting from the performance of the **WORK** provided that any such claims, damage, loss, or expense is attributable to bodily injury, sickness, disease or death, injury to or destruction of tangible property, including the loss of use resulting there from, and is caused by any negligent or willful act or omission or the Offeror/Contractor, and anyone directly or indirectly employed by him or anyone for whose acts any of them may be liable.

In any and all claims against the **OWNER**, the **City of Conway** or any of their agents or employees by an employee of the Offeror/Contractor, and anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the indemnification obligation shall not be limited in any way to the amount or type of damages, compensation or benefits payable by or for the Offeror/Contractor under the workman's compensation acts, disability benefit acts, or other employee benefit acts.

The obligation of the Offeror/Contractor under this paragraph shall not extend to the liability of the City of Conway or its agents or employees arising out of the reports, survey, **CHANGE ORDERS**, designs, or **SPECIFICATIONS**.

OFFEROR/CONTRACTOR: \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_



**NON-COLLUSION AFFIDAVIT FORM**  
**(This form is Part of the Response)**

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

CITY OF CONWAY

\_\_\_\_\_  
Being duly sworn, disposes and say that he/she is

\_\_\_\_\_  
(Sole Owner, a Partner, President, Secretary, etc.)

of \_\_\_\_\_

the party making the foregoing Proposal that such proposal is genuine and not collusive or sham; that said proposer has not colluded, conspired, connived, or agreed, directly or indirectly with any PROPOSER or person, to put in a sham proposal, or that such other person shall refrain from proposing and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference, with any person to sought by agreement or collusion, or communication or conference, with any person to fix the proposal of affiant or any other PROPOSER or to fix any overhead, profit or cost element of said Proposal or of that of any other PROPOSER or to secure any advantage against OWNER any person interested in the proposed contract; and that all statements in said Proposal are true ; and further, that such PROPOSER has not, directly or indirectly submitted this Proposal, or the contents thereof, or the contents thereof, or divulged information or data relative thereto any association or to any member or agent thereof.

\_\_\_\_\_  
Proposer

Sworn to and subscribed before this \_\_\_\_\_ day of \_\_\_\_\_, [2023]  
Notary Public for South Carolina

My Commission Expires \_\_\_\_\_

\_\_\_\_\_



## REFERENCES

Please list a minimum of three (3) references for jobs performed in the past five (5) years that are similar in size and scope to this project, with contact names and telephone numbers. Attach additional sheets if necessary.

Reference: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Description and date(s) of project and service provided: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Reference: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Description and date(s) of project and service provided: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Reference: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Description and date(s) of project and service provided: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION REGARDING SITE VISIT PRIOR TO BID**

PROJECT: City of Conway – Scarborough Alley Outdoor Restrooms  
2023

\_\_\_\_\_, representing the bidding contractor, visited the project (Name of Representative) the site on \_\_\_\_\_, 2023 and became fully aware of all site conditions pertaining to site access and working conditions associated with the work to be performed on this project. This site condition information has been conveyed to all necessary personnel and sub-contractors preparing the bid for work on this project.

I certify that the bid for this work includes all cost associated with the site conditions, including but not limited to access and restoration for a complete project.

Submitted by: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Printed Name  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Company

**ACKNOWLEDGEMENT OF ADDENDA**  
**Scarborough Alley Outdoor Restrooms**

Proposer hereby acknowledges receipt of all Addenda through and including:

Addendum No. \_\_\_\_\_, dated \_\_\_\_\_.

Addendum No. \_\_\_\_\_, dated \_\_\_\_\_.

Addendum No. \_\_\_\_\_, dated \_\_\_\_\_.

Addendum No. \_\_\_\_\_, dated \_\_\_\_\_.

Company \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Print Name \_\_\_\_\_

## Bid Proposal

### **Construction of Outdoor Restrooms at Scarborough Alley**

- 716 Sq. Ft. restroom facility
- Monolithic concrete slab
- Wood framed with Brick Veneer
- Flat rubber roof with roof drains (tap into catch basin will be provided by the City of Conway)
- Six unisex bathrooms
- Two ADA unisex bathrooms
- A janitors closet with floor drains
- Floors will be epoxy painted concrete
- Wall finishes will be Fiberglass Reinforced Panels (FRP)
- Toilets will be flushometer with manual handles
- Ventilation fans will be required in each room
- The City of Conway will provide a 2" water service along with sewer tap.

Material Price \_\_\_\_\_  
Labor \_\_\_\_\_  
Total Bid Amount \_\_\_\_\_  
Firm Name \_\_\_\_\_  
Firm Address \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Email Address \_\_\_\_\_  
License Number \_\_\_\_\_  
Authorized  
Signature \_\_\_\_\_  
Print Name \_\_\_\_\_

**If the number of footage exceeds the above quoted number, the change order unit price will be the same as average foot price as quoted above.**

**\*\*\* Make sure all forms are included**