

Invitation for Bids (“IFB”) For Excavator

This IFB is Being Issued by:

Leadership Learning Academy

Layton Campus
100 W. 2675 N.
Layton, UT 84041
Tel. 801-593-9552

Ogden Campus
1111 2nd Street
Ogden, UT 84404
Tel. 801-784-5170

Date of IFB Issue: January 29, 2021

Deadline to Submit Bids: February 8, 2021 by 4:00 p.m.

I – KEY DATES

- A. Date of IFB Issue: January 29, 2021.
- B. Deadline to Submit Bids: February 8, 2021 by 4:00 p.m.
- C. Opening of Bids: February 8, 2021 at 4:00 p.m. at Academica West located at 290 N. Flint Street, Kaysville, Utah 84037.
- D. Anticipated Contract Award Date: March 15, 2021.
- E. Anticipated Contract Term: Approximately March 2021 to project completion.
- F. Commencement of Construction: In late May 2021 after school is let out or no later than early June 2021.
- G. Completion of Construction: No later than July 15, 2021, unless another completion date is agreed upon by Leadership Learning Academy.

II – GENERAL INFORMATION

- A. Background of Leadership Learning Academy. Leadership Learning Academy (“LLA” or the “School”) is a Utah nonprofit 501(c)(3) corporation and public charter school with campuses in Layton and Ogden. LLA serves students in grades K-9 with a total enrollment of over 1,000 students.
- B. Purpose of IFB. LLA would like to build an 8-foot-wide circular asphalt path around the playfields at its Layton and Ogden campuses. The purpose of this IFB is to solicit bids from excavators to complete the asphalt paths around each campus playfield, with each path covering approximately 8,500 square feet.

Bids should include all costs necessary to fully construct each path, including all costs to perform at least the following work (if a bidder anticipates further costs in connection with this project, please include those in the bid as well):

- Removing existing dirt and grass where the paths will be constructed;
 - Hauling off all dirt and grass that has been removed;
 - Leveling/subgrade prep of the path areas;
 - Installing 8 inches of road base (10 feet wide) throughout the path areas;
 - Installing 3 inches of asphalt (8 feet wide) throughout the path areas;
 - Backfilling the paths with dirt;
 - Removing and replacing sprinklers as necessary to construct the paths;
 - Cutting curbs for access to the paths;
 - Sweeping path areas; and
 - Mobilization to each campus.
- C. Award of Contract. The contract will be awarded to the responsible bidder who meets all objective criteria set forth in this IFB and submits the lowest bid.

- D. Contract Documents. The successful bidder selected by LLA's Board pursuant to this IFB will be required to enter into a written guaranteed maximum price contract consistent with the acceptable services, terms, and conditions outlined in the successful bid and the requirements set forth in this IFB.

III – GENERAL BID INFORMATION

- A. **Bids must be submitted by email or in person in compliance with Section V of this IFB. Bids received by telephone, fax, or any other unapproved form are not acceptable and may not be considered.**
- B. **The content of a bid must address the requirements stated in Section V of this IFB.**
- C. As stated above, bids will be opened publicly at Academica West on February 8, 2021 at 4:00 p.m. Bids will be opened so as to avoid disclosure of contents to competing bidders during the process of negotiation. Only the names of bidders who submitted bids will be identified at the opening of bids.
- D. LLA may, for the purpose of assuring full understanding of and responsiveness to the IFB's requirements, enter into discussions or conduct interviews with, or attend presentations by, bidders who submit bids.
- E. Bidders acknowledge that LLA's issuance of this IFB does not obligate LLA to accept any of the bids submitted in response to this IFB, nor does it guarantee that LLA will in fact accept any of the said bids. To the extent permitted by law, LLA's Board reserves the right to accept or reject any or all bids and/or to waive any or all formalities in any bid or in the bid process deemed to be in the best interest of LLA. No agreement exists on the part of LLA and any bidder until a written contract is approved and executed by LLA's Board.
- F. This IFB does not obligate LLA to pay for any costs of any kind whatsoever that may be incurred by a bidder or any third parties in connection with a bid. All submitted bids, responses, and supporting documentation shall become property of LLA. Further, LLA 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 the IFB.

IV – SERVICE REQUIREMENTS

Expectations for LLA

- A. LLA owns the property on which the work described in this IFB will be performed. LLA will allow the winning bidder to have adequate access to its property to complete this project. In addition, LLA officials or representatives will be reasonably available to consult with and advise the winning bidder throughout this project.
- B. LLA will fund this project.

Expectations for Bidders

- A. Bidders must hold appropriate, current state licensure to engage in the work described in this IFB.
- B. Bidders utilizing subcontractors must ensure that the selected subcontractors hold appropriate and current state licensure to engage in the work requested in this IFB. It is also expected that subcontractors sign an approved lien release form and have adequate insurance before any payments are disbursed to them.
- C. Bidders must have adequate financing to fund their business and work obligations during the project.
- D. Bidders must have previously performed construction for public schools in Utah.
- E. Bidders must comply with and follow instructions in this IFB.
- F. The winning bidder must enter into a written contract with LLA's Board within a reasonable deadline required by LLA.
- G. The winning bidder must begin working and coordinating with LLA, and commence project planning, in a timely manner after entering into a written contract with LLA's Board.
- H. The winning bidder must be able to commence work as soon as late May or early June 2021 and complete the project no later than July 15, 2021.
- I. The winning bidder must meet all legal requirements of charter school construction in the State of Utah and must comply with all applicable building codes, statutes, and rules governing charter school or school construction.
- J. The winning bidder must obtain all necessary and appropriate approvals, permits, and authorizations to commence work at the School's property as indicated herein, including any and all approvals from the City of Layton or City of Ogden.
- K. The winning bidder must timely provide the School, and any other appropriate parties, with any necessary reporting information and reports, including construction inspection reports as required or requested by the School throughout the project.
- L. The winning bidder must comply with all applicable state and federal laws and rules, including the Americans with Disabilities Act (ADA), pertaining to school construction.
- M. The winning bidder must, upon request, agree to a reasonable liquidated damages amount for each day the project goes beyond the scheduled completion date.

V – BID REQUIREMENTS

- A. **Delivery of Bids. Bids must be emailed to Platte Nielson at platte@academicawest.com or delivered in person to Academica West's offices at 290 N. Flint Street, Kaysville, Utah**

84037 by 4:00 p.m. on February 8, 2021. Bids delivered in person must be in sealed envelopes.

B. Content of Bids. Bidders must include the following in their bids:

1. *Experience, Qualifications, and Track Record.* Provide information demonstrating that the bidder has the experience and qualifications necessary to complete this project. The information may (but is not required to) include such things as:

- a. Resume(s);**
- b. Summaries/examples of bidder completing work similar to work described in this IFB, including for Utah district or charter schools; and**
- c. Copy of the bidder's valid Utah contractor's license.**

2. *Pricing.* Provide the total anticipated guaranteed maximum price to be charged by the bidder to complete this project. Itemize the pricing.

C. Selection. The responsible bidder who submits the lowest responsive bid that meets the objective criteria described in this IFB will be selected by LLA to complete this project.

D. Submission of Protected Information. Protection of disclosure of information submitted by a bidder in response to this IFB is governed by Utah's Government Records Access and management Act in Utah Code Ann. § 63G-2-101 *et seq.* and Utah Administrative Code Rules R33-7-105 and R33-7-106. A bidder that desires to request protected status of any information it submits to LLA in response to this IFB must specifically identify the information that it desires to protect and the reasons that the information should be afforded protected status under the law. In making this request, the bidder shall comply with the requirements in Utah Code Ann. § 63G-2-305, Utah Code Ann. § 63G-2-309, and Utah Administrative Code Rule R33-7-105. In turn, LLA will comply with Utah Code Ann. § 63G-2-309 and Utah Administrative Code Rule R33-7-106 with respect to disclosing such information. Submission of protected information in response to this IFB shall be deemed an acknowledgment and consent by the bidder that the bidder agrees with this paragraph and will indemnify, defend, and hold harmless LLA, its members, directors, officers, staff, and agents from any and all liability relating to the proper disclosure of information provided by the bidder in response to this IFB, even if the bidder requested protected or other confidential status for the information.

E. Submission of Bids with Protected Business Confidential Information. In accordance with Utah Administrative Code Rule R33-7-107, if a bidder submits a bid that contains information claimed to be business confidential or protected information, the bidder must submit two separate bids as follows:

1. One redacted version for public release, with all protected business confidential information either blacked-out or removed, and marked as "Redacted Version;" and
2. One non-redacted version for evaluation purposes clearly marked as "Protected Business Confidential."

Please note that bid pricing may not be classified as business confidential and will be considered public information. In addition, an entire bid may not be designated as "protected," "confidential," or "proprietary" and shall be considered non-responsive unless the bidder removes the designation.