

RFP NU-FR-02

Flood-Damaged Elevator Restoration Services

□ 1.0 Public Notice-Invitation for Flood-Damaged Elevator Restoration Services

This Request for Proposal (RFP) is issued by:
Northwood University (hereinafter **NU**), 4000 Whiting Drive, Midland MI 48640.

Selected **NU** facilities were damaged by freshwater flooding in May 2020. **NU** seeks proposals to **restore existing flood-damaged Elevator systems** serving selected damaged facilities. The purpose of this RFP is to select and contract with one or more Elevator Contractors to provide the necessary restoration services.

Proposers must be licensed by the State of Michigan as an Elevator Contractor, and possess insurance coverages acceptable to **NU** as defined herein.

□ 2.0 Scope of Services

Restore existing elevator systems referenced in **Exhibit A** to pre-flood condition, including any modifications that may be required to bring the existing systems into full compliance with current applicable codes.

The Work includes satisfactory provision of any necessary reviews, permits, testing and approvals from any state or local agencies having jurisdiction at Proposer's sole expense.

The Work shall also include a full-service Maintenance Agreement for a five (5) year period following final completion, issued by the equipment manufacturer.

Time is of the essence for provision of these services, because compliance with the American with Disabilities Act (ADA) is not fully achieved without properly-functioning elevator systems. **NU** intends to expedite Proposal review, contract award(s) and issuance of Notice(s) to Proceed. **NU** requires completion of Work on each individual elevator system in the shortest possible time after date of Notice-to-Proceed, and expects Work on multiple elevator systems to be performed concurrently.

Since federal funding is anticipated for this effort, compliance with Davis-Bacon and related Acts (DBRA) is required for any potential contract exceeding \$2,000.00 in value. The current prevailing wage determination(s) are attached as Exhibit D; Proposers to verify current version(s) prior to submission of Proposal.

Since federal funding is anticipated for this effort, compliance with Contract Work Hours and Safety Standards Act is required for any potential contract exceeding \$100,000.00 in value.

Note the existing elevator systems are in facilities that may be occupied and in-use during restoration Work. No restrictions are anticipated regarding allowable days of the week and times of the day for restoration Work to be performed.

Northwood University 2020 Flood Recovery Request for Proposal NU-FR-02

□ 3.0 General Information

NU provides equal opportunities without regard to race, color, national origin, sex, age, disabilities, or veteran status or any other classification protected by federal constitutional statutory law in educational programs and activities. This includes, but is not limited to, admissions, educational services, financial aid, employment and retention of consultants and contractors. Accordingly, all Proposers entering contracts with NU shall, upon request, be required to show proof of such nondiscrimination.

NU encourages participation from small, minority-owned, women-owned, veteran-owned and labor surplus area businesses. Incorporation of these types of firms into the Proposer's team is encouraged.

Proposer, their consultants, sub-consultants, or other parties representing the Proposer for this solicitation may not contact any member of the NU Selection Panel concerning this project from the date of advertisement until after the date of award.

NU intends to award a single contract for entire scope to the Proposer with lowest overall point score(s) regarding cost and time, as defined in the Evaluation section herein, however in the interest of restoring as many systems as possible in the shortest amount of time, NU may elect to award portions of the proposed Work to more than one Proposer. NU reserves the right to reject any and/or all of the proposals, and the right to award only portions of the proposed Work.

Since federal funding is anticipated for this effort, this solicitation and any contract arising from this solicitation is subject to compliance with all applicable federal contract clauses, including but not necessarily limited to, those included in **Exhibit B**. And if Proposer's bid for any one individual restoration, or total of bids for all restorations, exceeds \$100,000, the Byrd Anti-Lobbying Certification included in **Exhibit C** must be executed and attached to Proposer's Certification Statement.

□ 4.0 Proposal

The purpose of the Proposal is to provide members of the NU Selection Panel with specific information regarding the cost and time to complete the required services.

The Proposer's submittal shall consist of only:

- 4.1. CERTIFICATION STATEMENT: Include executed **Attachment 01 – Certification Statement**. (Attach executed Byrd Anti-Lobbying Certification if proposed bid for any one individual restoration, or total of bids for all restorations, exceeds \$100,000).
- 4.2. COST PROPOSAL: Include completed **Attachment 02 – Cost Proposal**.

A single lump-sum bid and an anticipated duration following NTP to restore each individual Elevator system is required on the Cost Proposal form. The bid shall include permits and Maintenance Agreement described at Section 2.0 herein. With regard to completion of restoration: Restoration of any one elevator system will be considered complete when the restored elevator system becomes legally-available (i.e. fully-permitted by jurisdictions having authority) for unattended use by the Public. Proposer's individual facility bids along with proposed durations will be evaluated as defined in the Evaluation section herein.

4.3 Deadline and Submittal

A. One (1) hardcopy original and one (1) electronic version consisting of single locked .pdf file exactly matching the hardcopy version on USB drive shall be submitted to NU's official Point of Contact not later than the date and time

Northwood University 2020 Flood Recovery Request for Proposal NU-FR-02

advertised. Proposer is solely responsible for properly labeling, mailing and/or delivering of Proposal, at Proposer's sole cost. Proposals may be hand-delivered if preferable.

B. The outside of the Proposal's envelope/box (or outermost envelope/box if mailed by and delivered by United States Mail, Express Mail, Priority Mail, UPS, Federal Express, and all other similar types of carrier delivery), must be labeled with Proposer's Company Name and RFP Number: **NU-FR-02**.

4.4 Official Northwood University Point of Contact, for submission of Proposals and any correspondences related to this RFP:

Mr. David Bender
Northwood University Director of Asset Management
4000 Whiting Drive.
Midland, MI 48640
(989) 837-4374
rfp@northwood.edu

Any inquiries or other correspondence regarding this RFP are to be transmitted via US Mail or email to the Official Point of Contact. DO NOT CALL – the telephone number is provided for courier delivery purposes only.

4.5 Required Review and Waiver of Objections by Proposers

Proposers should carefully review this RFP and all attachments for defects, objections, or any other matter requiring clarification or correction. Questions or comments must be received by NU in writing no later than six (6) business days prior to the RFP submission deadline, to allow issuance of any necessary addenda.

*Submittal of a Proposal shall constitute acceptance of the terms, conditions, criteria, requirements, and evaluation process of the RFP and resulting contract, and operates as a waiver of any objection.

4.6 Response Withdrawal

Proposers may withdraw a submitted Proposal at any time up to the deadline for submittal. To withdraw a Response, the Respondent must submit a written request, signed by the Proposer's authorized representative, to the NU Point of Contact before the submission deadline. After withdrawing a previously submitted Proposal, the Proposer, may submit another Proposal at any time up to the submission deadline.

4.7 Response - Amendments and Errors

Proposers are liable for any errors or omissions contained in their Proposals. No amendments, revisions, or alterations to Proposals may be made following submission.

4.8 Property of Response

Proposals submitted in response to this RFP become the property of NU. Selection or rejection of a response does not affect this right. All submitted information shall be held in confidence during the evaluation process.

4.9 Insurance Requirements. Proposer is required to possess the following minimum insurance coverages:

General Liability	\$1,000,000 per occurrence, \$2,000,000 aggregate
Automobile liability	\$1,000,000
Workers' Comp	\$500,000
Umbrella	\$2,000,000

4.10 Addenda

Northwood University 2020 Flood Recovery

Request for Proposal NU-FR-02

Page 4 of 5

9-14-20

Prior to the deadline for submission of proposals, NU reserves the right to issue addenda to this RFP. Proposers are responsible for ensuring receipt of all addenda and incorporating any changes into their proposal. Proposers shall acknowledge receipt of all addenda by listing those received in their cover letter. NU reserves the right to reject a proposal for failure to acknowledge receipt of any addenda. Addenda will be posted at <https://www.northwood.edu/rfp>

5.0 Evaluation Criteria and Selection Process

5.1 Evaluation and Selection

Proposals submitted in response to this RFP will be evaluated by the NU Selection Panel for the purpose of selecting the Proposer that provides the best value for NU, taking into consideration cost and time to complete each individual restoration.

5.2 Selection Process

All responsible Proposals submitted for this project will be reviewed by a Selection Panel convened by NU. Point score tabulation will be performed separately for each individual elevator system restoration. The selection process shall be as follows:

A. Lump-sum bid for each individual elevator system restoration will be considered, with lowest bid receiving point score of one, and subsequent higher bids receiving subsequent point score ranking of 2, 3, etc. This bid score will comprise seventy-five percent (75%) of the final point score tally for each individual restoration.

B. Anticipated duration following NTP for each individual elevator system restoration will be considered, with shortest duration receiving point score of one, and subsequent longer durations receiving subsequent point score ranking of 2, 3, etc. This duration score will comprise twenty-five percent (25%) of the final point score tally for each individual restoration.

C. Bid Score multiplied by 75% plus Duration Score multiplied by 25% = Proposers final point score for each individual restoration.

D. The Proposer with the lowest point score tally for each individual restoration will be considered for award of that particular restoration.

E. The RFP Selection Panel reserves the right to consider award of multiple elevator restorations to a single Proposer receiving lowest final point score on more than one restoration, even if that Proposer's final point score is not the lowest on other restorations.

6.0 Anticipated Schedule of Events

NU anticipates the following schedule for this solicitation. NU reserves the right at its sole discretion, to adjust this schedule, as it deems necessary.

Advertisement: Monday Sept. 14, 2020.
Deadline for written inquiries:..... Wednesday October 7, 2020 at 5:00 pm EDT.
Deadline for issuance of Addenda:..... Monday October 12, 2020 at 5:00 pm EDT.
Proposal Due Date:..... Thursday Oct. 15, 2020 at 2:00 pm EDT.
Anticipated Date of Award:..... TBD.

Northwood University 2020 Flood Recovery Request for Proposal NU-FR-02

□ **7.0 Exhibits and Attachments**

Exhibit A: List of flood damaged Elevator systems., one page.

Exhibit B: List of Federal Contract Clauses, two pages.

Exhibit C: Byrd Anti-Lobbying Certification form, one page.

Exhibit D: DBRA Prevailing Wage Determination(s), ten pages including coversheet.

Attachment 01: Certification Statement form, one page.

Attachment 02: Cost Proposal form, one page.

Northwood University 2020 Flood Recovery
EXHIBIT A – LIST OF FLOOD-DAMAGED ELEVATORS
RE: RFP NU-FR-02 - ELEVATOR RESTORATION



9-14-20

Available information regarding the existing flood-damaged Elevator installations to be restored to pre-flood-damaged condition:
(all at 4000 Whiting Drive in Midland, MI 48640)

BSC Elevator

Bennett Sports Center Building
Dover Hydraulic, 2-stops, 13-foot vertical rise, State ID # 17940.

GWC Elevator

Griswold Communication Center Building
Montgomery Hydraulic, 2-stops, 12-foot vertical rise, State ID # 15266.

HSF Elevator

Hantz Football Stadium Building (home)
Otis Hydraulic, 3-stops, 31-foot vertical rise, State ID # 45061.

STL Dumbwaiter

Strosaker Library Building
Unknown manufacturer and type, 2-stops, 8-foot vertical rise, State ID # 16928.

end

Northwood University 2020 Flood Recovery
EXHIBIT B – LIST OF FEDERAL CONTRACT CLAUSES
RE: RFP NU-FR-02 ELEVATOR RESTORATION



Page 1 of 2

Since federal funding is anticipated for this effort, this solicitation and any contract arising from this solicitation is subject to compliance with all applicable federal contract clauses, including but not necessarily limited to, the following:

Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms

Northwood University encourages participation from small, minority-owned, women-owned, and labor surplus area business. Incorporation of these types of firms into the project team is encouraged. Additionally, prime contracts are required, if subcontracts are to be let, to take the following affirmative steps 1 through 5 of this section.

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

Equal Employment Opportunity

Contractor agrees to abide by the requirements of the following as applicable: Title VI and Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, Federal Executive Order 11246, the Federal Rehabilitation Act of 1973, as amended the Vietnam Era of 1975, and the Americans with Disabilities Act of 1990. Contractor agrees not to discriminate in its employment practices, and will render services under this Agreement and any contract entered into as a result of this Agreement, without regard to race, color, religion, sex, sexual orientation, national origin, veteran status, political affiliation, or disabilities. Any act of discrimination committed by Contractor, or failure to comply with these statutory obligations when applicable shall be grounds for termination of this Agreement and any contract entered into as a result of this agreement.

Byrd Anti-Lobbying

Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352 (as amended) Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. §1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient.

(See Exhibit C for blank Byrd Anti-Lobbying Certification form)

Davis-Bacon Act, as amended (40 U.S.C. 3141-3148)

When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the

Northwood University 2020 Flood Recovery
EXHIBIT B – LIST OF FEDERAL CONTRACT CLAUSES
RE: RFP NU-FR-02 ELEVATOR RESTORATION



Page 2 of 2

acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708)

Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

Federal Contract Provisions applicable to any Contract resulting from this RFP:

- Equal Employment Opportunity
- Byrd Anti-Lobbying
- Davis-Bacon and Related Acts
- Clean Water Act & Federal Water Pollution Control Act
- Clean Air Act
- Energy Efficiency
- Debarment and Suspension (Executive Orders 12549 and 12689)
- Contract Work Hours and Safety Standards Act
- Copeland "Anti-Kickback" Act
- Record Retention, Record Ownership, & Access to Records
- No Obligation by Federal Government
- Contract will address termination for cause and convenience, administrative, contractual, or legal remedies for breach of contract, and Conflicts of Interest

Northwood University 2020 Flood Recovery
EXHIBIT C – BYRD ANTI-LOBBYING CERTIFICATION
RE: RFP NU-FR-02 9-8-20



Byrd Anti-Lobbying Certification
for Contracts, Grants, Loans, and Cooperative Agreements
(To be submitted with each bid or offer exceeding \$100,000)

The undersigned [Proposer] certifies, to the best of his or her knowledge, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form- LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Proposer, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Proposer understands and agrees that the provisions of 31 U.S.C. § 3801 *et seq.*, apply to this certification and disclosure, if any.

Signature of Proposer’s Authorized Representative

Name and Title of Proposer’s Authorized Representative

Date