



Boone County, Kentucky

INVITATION FOR BID # BCFY22-13

**Shelter (1) Building at England Idlewild Park,
Shelter (1) Building at Petersburg Park
&
Shelter (1) Building at Shor Lake Park**

ACCEPTANCE DATE: Prior to 2:00 p.m., August 12, 2021 “Local time”

ACCEPTANCE
PLACE

Boone County Fiscal Court
2950 Washington Street
PO Box 960
Finance Department
2nd Floor Administration Building
Burlington, Kentucky 41005

Requests for information related to this Invitation should be directed to:

David Whitehouse, CPRP
Director of Parks & Recreation
(859)334-2133
E-mail address: dwhitehouse@boonecountyky.org

Issue Date: August 2, 2021

IF YOU NEED ANY REASONABLE ACCOMMODATION FOR ANY TYPE OF DISABILITY IN ORDER TO PARTICIPATE IN THIS PROCUREMENT, PLEASE CONTACT OUR OFFICE AS SOON AS POSSIBLE.

NOTICE

The Boone County Fiscal Court will receive sealed bids in the Finance Department, Second Floor, Administration Building, 2950 Washington Street, PO Box 960, Burlington, Kentucky 41005, **until 2:00 p.m. (local time), August 12, 2021 for 1 Shelter Building at 5550 Idlewild Rd, Burlington, KY, 1 Shelter Building at 505 Shoreland Dr, Walton, KY and 1 Shelter Building at 6517 Market St, Petersburg, KY.** Bids will be opened and publicly read aloud at that time in the Fiscal Courtroom, First Floor, Administration Building. Late, electronically submitted or facsimile bids will not be accepted.

BID ENVELOPE MUST BE LABELED: "SEALED BID: "Shelter Buildings." Envelopes must also be labeled with the name and address of the vendor submitting the bid.

Specifications may be obtained in the Finance Department, 2950 Washington St, Second Floor, Administration Building, 2950 Washington Street, Burlington, KY 41005 or by visiting our website at www.boonecountky.org/publicnotices

Boone County reserves the right to reject any and all bids, to waive any informalities and to negotiate for the modifications of any bid or to accept that bid which is deemed the most desirable and advantageous from the standpoint of customer value and service and concept of operations, even though such bid may not, on its face, appear to be the lowest and best price. No bid may be withdrawn for a period of sixty (60) days after scheduled time of receipt of bids.

INTENT

Whenever a specific "Brand Name" is used in these specifications, it is used for descriptive purposes only. Whenever or where the Bidder takes exceptions to the Specifications, such exceptions shall be listed on the "Exception Sheet" of these specifications and signed by the Bidder. The Bidder must use the attached Bid Form as no other form will be accepted. The Bidder shall also attach to the Bid Form, descriptive information and literature showing the items on which the Bid was based. The Boone County Fiscal Court shall be the sole judge of whether a Bid meets the intent of these specifications.

KENTUCKY PREFERENCE LAW

The scoring of bids/proposals is subject to Reciprocal preference for Kentucky resident bidders and Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries. *Vendors not claiming resident bidder or qualified bidder status need not submit the corresponding affidavit.

GENERAL INSTRUCTIONS

It is necessary for vendors to read instructions contained herein, to understand exactly how to submit a bid, what must accompany the bid, and what the vendor obligates themselves for by submitting the bid. Failure to carefully read and understand the instruction and bid specifications may either cause the bid not to be considered or accepted by the Boone County Fiscal Court hereinafter referred to as BCFC or cause the vendor to obligate themselves to more than they realize.

INQUIRIES

All questions concerning contract implementation shall be directed to the Parks Representative, David Whitehouse, CPRP, Director of Parks, at 859-334-2117.

HOLD HARMLESS

Any vendor submitting a bid agrees that the decisions of the BCFC are final and shall hold harmless BCFC, its directors, employees, consultants, and others involved in the design, and selection of the system, and the successful vendor(s) of this bid. The submission of a bid indicates acceptance of these conditions.

INSURANCE

The contractor will be required to provide proof of insurance including general liability, automobile liability and workers compensation for the duration of the contract. General liability insurance shall be maintained in the amount no less than \$500,000 per accident for bodily injury and \$500,000 per incident for property damage with a minimum of one \$1,000,000 in excess liability coverage. Automobile Liability insurance shall be maintained in the amount of \$500,000 per occurrence for bodily injury and \$500,000 per occurrence for property damage. Workers' compensation shall be consistent with statutory requirements.

GUARANTEES

Contractor must provide a one (1) year guarantee of materials and workmanship from completion date.

REFERENCES

Contractor must provide 3-years prior reference for completed projects, with project name, location, phone number and contact person.

PRICING INSTRUCTIONS

Prices will be considered as Net if no cash discount is shown.

The BCFC is a tax-exempt organization. Certificates will be furnished upon request. The

BCFC requests that all required forms by the bidder to be included with the bid packet. Tax should not be included in bid price.

All item pricings shall be final and must include all shipping and handling charges and other fees to be delivered to BCFC.

TECHNICAL SPECIFICATIONS

SCOPE OF WORK

The County is looking to build 3 picnic shelter buildings which would include the furnishing of all labor, material, equipment, tools, and services necessary to construct them at the following locations:

1. One located at 5550 Idlewild Road, Burlington, KY 41005. Example/preference is an Icon Rectangular Gable Shelter 20' x 40' with a 24-Gauge Pre-Cut Multi-Rib Metal Roof. This is the preference, but equivalent is accepted.
2. One located at 6517 Market Street, Petersburg, KY 41080. Example/preference is an Icon Rectangular Gable Shelter 20' x 40' with a 24-Gauge Pre-Cut Multi-Rib Metal Roof. This is the preference, but equivalent is accepted.
3. One located at 505 Shoreland Drive, Walton, KY 41094. Example/preference is an Icon Monoslope 20' x 30' 24-Gauge Steel Roof. This is the preference, but equivalent is accepted.

PRE-BID SITE VISIT

Bidders will be allowed to inspect the sites the week of August 2nd thru August 9th, by scheduling a time with the Parks Representative, David Whitehouse at 859-334-2117.

EXCEPTION TO SPECIFICATIONS

1)

2)

3)

4)

5)

6)

7)

8)

9)

10)

Signature required, if exceptions are noted.

BID FORM

We, _____, hereby agree to furnish all labor, material, equipment, tools, excavation and services necessary to perform all work for the construction of the three shelter buildings locations are: 1 Shelter Building at 5550 Idlewild Rd, Burlington, KY; 1 Shelter Building at 6517 Market St, Petersburg, KY & 1 Shelter Building at 505 Shoreland Dr, Walton, KY in accordance with this Invitation to Bid and the General Conditions herein and, for the following fixed cost:

\$ _____

Work will begin within _____ days of contract award and be complete within _____ days.

My signature certifies that the accompanying bid is not the result of or affected by any act of collusion with another person or company engaged in the same line of business or commerce, or any act of fraud. I hereby certify that I am authorized to sign this bid for the bidder.

NAME OF BIDDER: _____

DATE : _____

ADDRESS: _____

FEDERAL ID #: _____

SIGNATURE: _____

OFFICIAL TITLE: _____

PHONE (____) _____ FAX (____) _____

KENTUCKY PREFERENCE LAWS

The scoring of bids/proposals is subject to Reciprocal preference for Kentucky resident bidders and Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries. ***Vendors not claiming resident bidder or qualified bidder status need not submit the corresponding affidavit.**

Reciprocal preference for Kentucky resident bidders

KRS 45A.490 Definitions for KRS 45A.490 to 45A.494.

As used in KRS 45A.490 to 45A.494:

- (1) "Contract" means any agreement of a public agency, including grants and orders, for the purchase or disposal of supplies, services, construction, or any other item; and
- (2) "Public agency" has the same meaning as in KRS 61.805.

KRS 45A.492 Legislative declarations.

The General Assembly declares:

- (1) A public purpose of the Commonwealth is served by providing preference to Kentucky residents in contracts by public agencies; and
- (2) Providing preference to Kentucky residents equalizes the competition with other states that provide preference to their residents.

KRS 45A.494 Reciprocal preference to be given by public agencies to resident bidders -- List of states -- Administrative regulations.

- (1) Prior to a contract being awarded to the lowest responsible and responsive bidder on a contract by a public agency, a resident bidder of the Commonwealth shall be given a preference against a non-resident bidder registered in any state that gives or requires a preference to bidders from that state. The preference shall be equal to the preference given or required by the state of the non-resident bidder.
- (2) A resident bidder is an individual, partnership, association, corporation, or other business entity that, on the date the contract is first advertised or announced as available for bidding:
 - (a) Is authorized to transact business in the Commonwealth; and
 - (b) Has for one (1) year prior to and through the date of the advertisement, filed Kentucky corporate income taxes, made payments to the Kentucky unemployment insurance fund established in KRS 341.490, and maintained a Kentucky workers' compensation policy in effect.
- (3) A non-resident bidder is an individual, partnership, association, corporation, or other business entity that does not meet the requirements of subsection (2) of this section.
- (4) If a procurement determination results in a tie between a resident bidder and a non-resident bidder, preference shall be given to the resident bidder.
- (5) This section shall apply to all contracts funded or controlled in whole or in part by a public agency.
- (6) The Finance and Administration Cabinet shall maintain a list of states that give to or require a preference for their own resident bidders, including details of the preference given to such bidders, to be used by public agencies in determining resident bidder preferences. The cabinet shall also promulgate administrative regulations in accordance with KRS Chapter 13A establishing the procedure by which the preferences required by this section shall be given.
- (7) The preference for resident bidders shall not be given if the preference conflicts with federal law.

(8) Any public agency soliciting or advertising for bids for contracts shall make KRS 45A.490 to 45A.494 part of the solicitation or advertisement for bids.

The reciprocal preference as described in KRS 45A.490-494 above shall be applied in accordance with 200 KAR 5:400.

Determining the residency of a bidder for purposes of applying a reciprocal preference

Any individual, partnership, association, corporation, or other business entity claiming resident bidder status shall submit along with its response the attached Required Affidavit for Bidders, Offerors, and Contractors Claiming Resident Bidder Status. The BIDDING AGENCY reserves the right to request documentation supporting a bidder's claim of resident bidder status. Failure to provide such documentation upon request shall result in disqualification of the bidder or contract termination.

A non-resident bidder shall submit, along with its response, its certificate of authority to transact business in the Commonwealth as filed with the Commonwealth of Kentucky, Secretary of State. The location of the principal office identified therein shall be deemed the state of residency for that bidder. If the bidder is not required by law to obtain said certificate, the state of residency for that bidder shall be deemed to be that which is identified in its mailing address as provided in its bid.

Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries.

Pursuant to 200 KAR 5:410, and KRS 45A.470, Kentucky Correctional Industries will receive a preference equal to twenty (20) percent of the maximum points awarded to a bidder in a solicitation. In addition, the following "qualified bidders" will receive a preference equal to fifteen (15) percent of the maximum points awarded to a bidder in a solicitation: Kentucky Industries for the Blind, any non-profit corporation that furthers the purposes of KRS Chapter 163 and any qualified non-profit agencies for individuals with severe disabilities as defined in KRS 45A.465(3). Other than Kentucky Industries for the Blind, a bidder claiming "qualified bidder" status shall submit along with its response to the solicitation a notarized affidavit which affirms that it meets the requirements to be considered a qualified bidder- affidavit form included. If requested, failure to provide documentation to a public agency proving qualified bidder status may result in disqualification of the bidder or contract termination.

Solicitation/Contract #: BCFY22-13

**REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS CLAIMING QUALIFIED
BIDDER STATUS**

FOR BIDS AND CONTRACTS IN GENERAL:

I. The bidder or offeror swears and affirms under penalty of perjury that the entity bidding, and all subcontractors therein, meets the requirements to be considered a "qualified bidder" in accordance with [200 KAR 5:410\(3\)](#); and will continue to comply with such requirements for the duration of any contract awarded. Please identify below the particular "qualified bidder" status claimed by the bidding entity.

_____ A nonprofit corporation that furthers the purposes of KRS Chapter 163

_____ Per KRS 45A.465(3), a "Qualified nonprofit agency for individuals with severe disabilities" means an organization that:

- (a) Is organized and operated in the interest of individuals with severe disabilities; and
- (b) Complies with any applicable occupational health and safety law of the United States and the Commonwealth; and
- (c) In the manufacture or provision of products or services listed or purchased under KRS 45A.470, during the fiscal year employs individuals with severe disabilities for not less than seventy-five percent (75%) of the man hours of direct labor required for the manufacture or provision of the products or services; and
- (d) Is registered and in good standing as a nonprofit organization with the Secretary of State.

The BIDDING AGENCY reserves the right to request documentation supporting a bidder's claim of qualified bidder status. Failure to provide such documentation upon request may result in disqualification of the bidder or contract termination.

Signature Printed Name

Title Date

Company Name _____

Address _____

Subscribed and sworn to before me by _____
(Affiant) (Title)

of _____ this _____ day of _____, 20____.
(Company Name)

Notary Public

[seal of notary]

My commission expires: _____