#### **NOTICE - REQUEST FOR SEALED PROPOSALS**

#### PROJECT: DRIVEWAY, LANES AND PARKING AREA REPAVING

The Facility Governing Board of the West Central Community Correctional Facility, Marysville, Ohio is seeking sealed proposals under Ohio R.C. 307.862 from qualified RFP responders to repave the driveway, lanes, and parking areas at the West Central Community Correctional Facility at 18200 State Route 4 North, Marysville, Ohio.

RFP Instructions and Q&A are available online at: <a href="https://www.wcccf.org/">https://www.wcccf.org/</a> or upon request via email to <a href="https://www.wcccf.org/">LPenrod@wcccf.org/</a>

Proposals must be received by 4:00 p.m. EDT on Friday, June 23, 2023, at the West Central Community Correctional Facility, 18200 State Route 4 North, Marysville, Ohio 43040. The name of each RFP responder will be posted on West Central's website. The submitted bids shall be clearly marked "Repaving Project" on the front of the envelope or the top of the package that encloses the proposal documents.

West Central reserves the right to reject any or all proposals. The Board reserves the right to conduct post-submission discussions with any Proposer(s). The Board may award a contract to the offeror whose proposal is determined to be the most advantageous to the county, taking into consideration the evaluation factors and criteria set forth in the request for proposals. The Board may award a contract in whole or in part to one or more offerors.

A copy of this Notice — Request for Proposals is posted at <a href="https://www.PublicNoticesOhio.com/">https://www.PublicNoticesOhio.com/</a>. The complete Request for Proposals document is also posted on the West Central website at: <a href="https://www.wcccf.org/">https://www.wcccf.org/</a>
The Facility Governing Board, West Central Community Correction Facility, 18200 State Route 4 North, Marysville, Ohio, 43040; 937-644- 2838; <a href="https://www.wcccf.org">LPenrod@wcccf.org</a> is responsible for publication of this notice.

Facility Governing Board, West Central Community Correctional Facility, Marysville,
Ohio

# WEST CENTRAL COMMUNITY CORRECTIONAL FACILITY 18200 STATE ROUTE 4 NORTH, MARYSVILLE, OHIO

## **REQUEST FOR PROPOSAL**

PROJECT: DRIVEWAY, LANES AND PARKING AREA REPAVING

RFP Release Date: June 2, 2023

RFP Response Due Date: June 23, 2023, by 4:00 P.M. EDT

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#### WEST CENTRAL COMMUNITY CORRECTIONAL FACILITY REQUEST FOR PROPOSAL

#### I. PROJECT OVERVIEW AND BACKGROUND

The Facility Governing Board (the Board) of the West Central Community Based Correctional Facility (West Central) seeks sealed proposals under Ohio R.C. 307.862 from qualified RFP responders (Responders) to repave the driveway, lanes, and parking areas at the West Central Community Correctional Facility at 18200 State Route 4 North, Marysville, Ohio.

The Board expects that full-depth replacement will be required in most areas, but Responders may propose alternatives as they believe may be appropriate.

#### II. PROJECT DETAILS

The Board seeks proposals to provide labor and install materials necessary to return the asphalt driveway, lanes, and parking areas at West Central to their original condition or better. The Board will provide the original plans and specifications.

West Central was established in 1999 and the paving in place is the original installation, except as it has been repaired in areas from time to time.

West Central is staffed 24 hours a day, 365 days a year. However, traffic and activity diminish outside the hours of 6:00 PM and 6:00 AM during weekdays. The Work may, in the Responder's discretion, with notice to West Central, be done outside of those hours.

The Successful Responder must always maintain means of ingress and egress for operational traffic, including staff, other vendors, and emergency first responders.

#### III. RFP RELEASE AND DEADLINES TIMETABLE

- A. RFP Release Date June 2, 2023
- B. Questions regarding the RFP will be answered through the website.
- C. Last day to submit RFP clarification questions 4:00 pm EDT, June 16, 2023
- D. RFP submittal deadline 4:00 PM, EDT, June 23, 2023
- E. Proposal review and selection process West Central expects a two -week period to conduct the proposal review and selection process. The Facility Governing Board reserves the right to reject any or all proposals or parts of proposals as determined by the Board. Wests Central reserves the right to conduct post-proposal discussions with any Responder(s). West Central reserves the right to short list the submitted proposals and conduct a panel review. During this process, Responders may be asked to formally present their proposals to West Central. The Board may award a contract to the offeror whose proposal it determines to be the most advantageous to West Central, taking into consideration the evaluation factors and criteria set forth in this Request for Proposals. The Board may award a contract in whole or in part to one or more offerors.

#### IV. RFP RESPONSE COMPONENTS, REQUIREMENTS, AND OPTIONS

Proposals must include, but not be limited to, these components:

A. RFP responses must be limited to 15 pages of text and related attachments, NOT including any marketing materials on services provided, financials, references, or company profiles (to be submitted as separate attached documents).

- B. RFP responses must include a Project estimated total cost AND include subtotal costs for the materials and installation costs. The response must describe the manner and methods for completing the Project and a description of the types and estimates of the amounts of materials to be used.
- C. RFP responses must provide the organization name, organization website, and contact person's name, mailing address, phone, and email address.
- D. Responders must list any sub-contractor or partner who will be responsible for any part of proposed services. Responders should specify a plan and timeline for replacing any subcontractor or partner services considered unsatisfactory, or for proposed services that are no longer offered by the subcontractor or partner, etc. West Central must be notified of any such changes.
- E. RFP responses must include a section describing the role and experience of each member of the project team.
- F. RFP responses must include four (4) References preferably from customers for whom you have successfully completed similar projects. The submitted contact information for each reference must be valid and include organization name, contact title, phone, and email address.
- G. RFP responses must describe the manner and method of work and specify the estimated amounts of materials to be used.
- H. RFP responses must include a project construction timeline, including an expected timeline for ordering any necessary materials that the Responder does not already have on hand.

Proposals may include an OPTIONAL section for suggested or recommended alternative materials or project installation alternatives which would reduce costs, improve efficiencies, or be more strategically beneficial to West Central.

#### V. **EVALUATION CRITERIA AND SCORING**

West Central will select a Responder which it determines capable of providing a high-quality product at a reasonable cost, under Section 307.86 of the Ohio Revised Code. The following is a partial list of criteria for evaluating proposals:

- A. Similar project experience, staff knowledge, and qualifications
- B. Compliance with RFP instructions and requirements
- C. Project costs
- D. Proposed project timeline (materials ordering, permit process as necessary, installation)
- E. Subcontractor details
- F. References

West Central reserves the right to reject any bid and all bids, or to increase or decrease or omit any item or items, or to waive any informality in any bid(s), and to award the contract to the offeror whose proposal it determines is the most advantageous to West Central, considering the evaluation factors and criteria in the request for proposals.

#### VI. PROPOSAL FORMAT AND SUBMITTAL PROCEDURE

By 4:00 PM EDT on June 23, 2023, all Responders must submit:

- A. One (1) printed, paper copy of all proposal materials; and
- B. One (1) electronic file copy of all proposal materials in Portable Document Format (PDF) version saved on USB flash/thumb drive.
- C. Proposal submittal address:

West Central Community Correctional Facility Attn: Repaying Project 18200 State Route 4 North Marysville, OH 43040

- D. The name of each RFP responder will be posted on West Central's website. Submitted proposals shall **not** be made publicly available until after a project agreement has been successfully executed with the selected Responder.
- E. The submitted bids shall be marked "Repaving Project" on the front of the envelope or the top of the package that encloses the proposal documents.
- F. RFP corrections, clarification questions and West Central response information:
  - 1. Following the June 2, 2023, RFP release date, Responders may submit clarification questions regarding this RFP before 4:00pm EST on June 16<sup>th</sup>, 2023.
  - 2. Questions must be submitted via email to the following West Central Authorized Representative:

# Lori Penrod, Operations Director LPenrod@wcccf.org

- 3. No question submitted to the Authorized Representative creates an exception to the terms and conditions included in this RFP.
- 4. West Central has created a county webpage specifically to host a copy of the RFP, corrections to the RFP, and a copy of the submitted Responder questions and answers provided by the Authorized Representative. Responders are encouraged to visit this site regularly for the latest corrections and Q+A.

#### https://www.wcccf.org/

- 5. All Responder submitted questions will be answered by the Authorized Representative and answers shall be shared by West Central with all Responders (typically within 48 hours of receiving a submitted question) via the specific RFP webpage listed above.
- Responders shall not contact any person who is an employee, officer, elected official
  or agent of West Central, to discuss this RFP, except West Central's Authorized
  Representative. West Central may disqualify any Responder who makes such
  contact.

The deadline for the Responder to deliver its proposal to West Central, in both printed and electronic file PDF versions, is 4:00 PM EDT, June 23, 2023. Responders may submit their proposals before the stated deadline. Failure to submit the required formats by this deadline may result in disqualification

from the RFP process. West Central shall bear no responsibility for the cost of preparing and submitting proposals on behalf of any Responder. No extensions shall be granted for responses to this RFP. The Facility Governing Board reserves the right to reject any or all proposals as determined by the Board. The Board reserves the right to conduct post-proposal discussions with any Proposer(s). The Board may award a contract to the offeror whose proposal it determines to be the most advantageous to the county, considering the evaluation factors and criteria in the request for proposals. The Board may award a contract in whole or in part to one or more offerors.

#### VII. EXAMINATION OF RFP DOCUMENTS AND REQUIREMENTS

Each Responder shall carefully examine the RFP and become thoroughly familiar with all requirements before submitting its proposal to make sure the proposal meets West Central's guidelines and intent. Before submitting a proposal, each Responder shall make all investigations and examinations necessary to ascertain conditions affecting the requirements of this RFP. Failure to make such investigations and examinations shall not relieve the Responder from its obligation to comply, in every detail, with all RFP provisions and requirements.

#### VIII. REQUIREMENTS FOR SELECTED RESPONDENT CONTRACT

- A. Performance and Payment Bond: The respondent to whom the contract is awarded must furnish a performance and payment bond in the amount equal to the total amount of project. The Performance Bond shall be executed by a surety or guaranty, or trust company authorized to do business in the State of Ohio. In the event of failure of the surety or if at any time such is declared unsatisfactory by West Central, the selected respondent shall immediately provide a new bond as required herein. The performance bond shall be continued in force and effect until all provisions of the contract have been fulfilled. The successful respondent shall pay for securing the performance bond. The bond shall be the selected respondent's guarantee that the company has the financial and technical resources to perform the work in accordance with the contract.
- B. <u>Insurance & Worker's Compensation</u>: West Central requires the selected respondent to maintain liability and worker's compensation insurance throughout the term of the contract. The company shall save harmless West Central and its officers or agents from all claims, demands, payments, suits, actions, recoveries, and judgements of every kind brought against it from the act or omission of the company. The selected requester must provide proof of insurance at the time of selection.
- C. <u>Sales Taxes</u>: West Central is exempt from all sales, excise, and transportation taxes, except the State of Ohio gasoline tax. The price or prices bid shall be exclusive of all such taxes and will be so construed.
- D. <u>Prevailing Wage</u>: The selected respondent shall comply with, and cause all of its subcontractors, sub-subcontractors, and all others for whom the respondent is responsible regarding performance of the work to comply with all applicable laws, rules, and regulations regarding payment of prevailing wages to laborers and mechanics employed or working on the project. The selected respondent shall provide all affidavits, reports and other data required by such laws, rules, and regulations.
- E. <u>Licenses, Permits, and Regulations</u>: Permits and licenses necessary for the prosecution of the work shall be secured and paid for by the selected respondent.

- F. <u>Non-Discrimination Practices</u>: The selected respondent shall agree that it shall not discriminate in any manner based on sex, race, color, age, religion, national origin, or ancestry of any person.
- G. <u>Additionally Required Affidavits And Compliance Forms</u>: The final contact between the successful respondent and West Central shall also include (but not limited to) the following:
  - 1. Non-Discrimination Addendum
  - 2. Drug Free Workplace Addendum
  - 3. Delinquent Tax Affidavit
  - 4. Campaign Finance Compliance

#### IX. TERMS, CONDITIONS, LIMITATIONS, AND EXCEPTIONS

- A. This RFP does not oblige West Central to issue an award or to pay any costs of preparing a proposal in response to this RFP.
- B. The proposals will become part of West Central's official files with no obligation on West Central's part.
- C. West Central shall not be held accountable if material from proposals is obtained without the consent of the Responder by parties other than West Central, at any time during the proposal evaluation process.
- D. All proposals received and any or all supporting documentation are subject to the Ohio Public Records Act and Ohio law generally. However, as provided under R.C. §307.862(C), proposals and related documents or records related to negotiations will not be available for inspection or copying until after the award of a contract. West Central will use due diligence to protect materials conspicuously marked by any Responder as "proprietary," "trade secret "or "confidential". General technological approach or business model information is not "proprietary," "trade secret" or confidential information. If West Central receives a request for such documents or records, West Central will notify the submitting Responder of such a request at least three (3) business days before producing any such record. The submitting Responder may, at its sole cost and expense, object to any such production of such records and pursue any and all remedies available to it, whether in law or in equity, to protect its Intellectual Property interests in the records. If the submitting Responder does not take action to protect the requested records within five business days after notice from West Central, West Central will respond to the records request using its reasonable judgment.
- E. Responder(s) shall offer no gratuities, favors, or anything of monetary value to any official or employee of West Central.
- F. Responder(s) shall not collude in any manner, or engage in any practices, with any other Responder(s), which may restrict or eliminate competition or otherwise restrain trade. This is not intended to prevent subcontracts and joint ventures for: (1) responding to this RFP, or (2) establishing a project team with the required experience and/or capability to provide the services specified. Conversely, West Central can combine or consolidate proposals, or parts of it, for the purposes mentioned.
- G. All proposals submitted must be the original work product of the Responder. The copying or paraphrasing of the work product of another Responder is not allowed.

- H. The RFP and the related responses of the selected Responder may by reference become part of any formal agreement between the selected Responder and West Central. West Central and the selected Responder may negotiate a contract or contracts for submission to West Central for consideration and approval. If an agreement cannot be reached with the selected Responder, West Central reserves the right to select an alternative Responder.
- I. West Central reserves the right to negotiate with alternative Responder(s) the exact terms of the contract.
- J. Responders, their authorized representatives, and their agents should develop, and will be considered to know of the conditions, requirements, and specifications of the RFP when a proposal is submitted to West Central.
- K. West Central may terminate its performance under a contract if a default by the Responder occurs and a failure to cure such default after receiving notice of default from West Central. Default may result from the Responder's failure to perform under the contract or from the Responder becoming insolvent, having a substantial portion of its assets assessed for the benefit of creditors, or having a receiver or trustee appointed.
- L. West Central reserves the right to unilaterally disqualify any Responder who in West Central's opinion fails to provide information or data requested or who provides materially inaccurate or misleading information or data. Further, West Central reserves the right to unilaterally disqualify any Responder based on a conflict of interest disclosed by the proposal submitted or any other data or information available to West Central. This disqualification is at the sole discretion of West Central. By submitting a proposal, the Responder waives any right to object now, or at any future time, before anybody or agency, including but not limited to, West Central's elected officials, officers, agents, or employees, or any court, as to the exercise by West Central of such right to disqualify or as to any disqualification from a conflict of interest as determined in the judgment of West Central.
- M. West Central shall have the unilateral right to reject any Responder RFP response including, but not limited to:
  - 1. Failure to deliver the RFP response to West Central by the deadline of June 23, 2023, at 4:00 PM EDT.
  - 2. Failure to submit the RFP response to the correct location.
  - 3. Failure to submit the RFP response in the prescribed formats.
  - 4. Failure to include all requested information.
  - 5. Taking exception to the terms, conditions, and specifications herein.

**NOTE**: Any deviation/ omission from the preceding list may void a Responder response.

- N. Issuing this RFP and the acceptance of a proposal is not an agreement by West Central that any contract or other agreement will be entered into by West Central. West Central expressly reserves the right to:
  - 1. Reject any or all proposals.
  - Reissue the RFP.
  - 3. Accept parts of individual or multiple RFP responses.

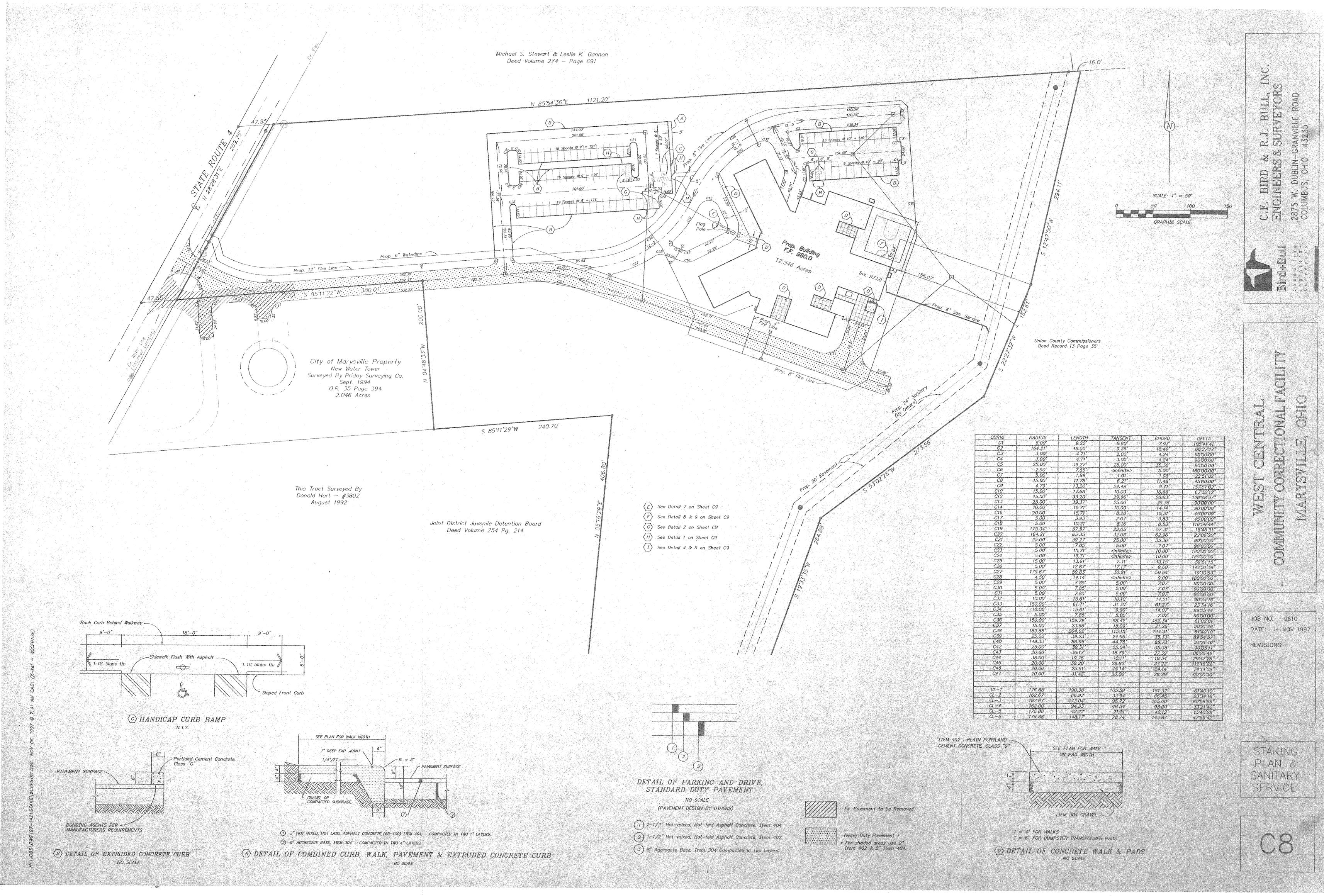
- 4. Extend the deadline for submission of Proposals by notifying all parties who have registered an interest in this RFP.
- 5. Request more information and/or clarification of proposals from any or all Responders.
- 6. Waive immaterial defect(s) or informality(ies).
- O. The foregoing granting of exclusive negotiation rights does not commit West Central to accept all or any term of the proposal(s). The final terms of any agreement will be agreed upon during negotiations. Negotiations may be terminated at any time by West Central for failure to reach mutually acceptable terms.
- P. West Central reserves the right to request clarification of any proposal after all proposals have been received.
- Q. West Central reserves the right to select elements from different individual proposals and to combine and consolidate them to best serve West Central's interest. West Central reserves the right to reduce the scope of the project and evaluate only the remaining elements from all proposals. West Central reserves the right to reject specific elements in any proposal and to complete the evaluation process based only on the remaining items.
- R. Any disputes arising out of this agreement that result in litigation shall be litigated in a court having jurisdiction including Union County, Ohio.
- S. This RFP, the responses thereto, and any awarded contract shall for all purposes be construed and enforced under the laws of the State of Ohio.
- T. Entities submitting proposals must be able to make a legally binding contract. All contract(s) amount(s), if any, resulting from this solicitation will be paid directly to the entity submitting accepted proposal(s). In any accepted proposal(s), to authorize payments directly to another third party upon contracting the proposing entity may be required to fully execute such proper payment authorization forms as acceptable to West Central.
- U. West Central reserves the right to conduct, for security reasons, a lawful background investigation on the selected Responders, its principal party, staff, or subcontractors. Responders agree to cooperate with West Central in this endeavor and to provide any permitted, reasonably necessary information. West Central will, upon the Responder's written request, provide a copy of such background investigations to the Responders, to the extent allowable by law. Dependent upon the results of the background check, West Central may ask for the Responders to immediately remove an individual from participation in this project. Responders shall not knowingly assign any staff with records of criminal conviction(s) to this Project without advising West Central of the nature and gravity of the offense. In fulfilling the obligations under this section, West Central and the Responder shall comply with all laws, rules, and regulations relating to making investigative reports and disclosing the information. West Central and the Responder shall, if allowed by law, indemnify, defend, and hold each other harmless against any wrongful disclosure by the indemnifying party, its employees, and/or agents of the reports and the information.
- V. All selected Responders shall be required during the project to cooperate fully, and in any reasonable manner West Central shall request, with the West Central elected officials, officers, agents, employees, contractors, subcontractors, and volunteers. Further, selected Responders shall have to coordinate their implementation(s) with all other selected Responders and all

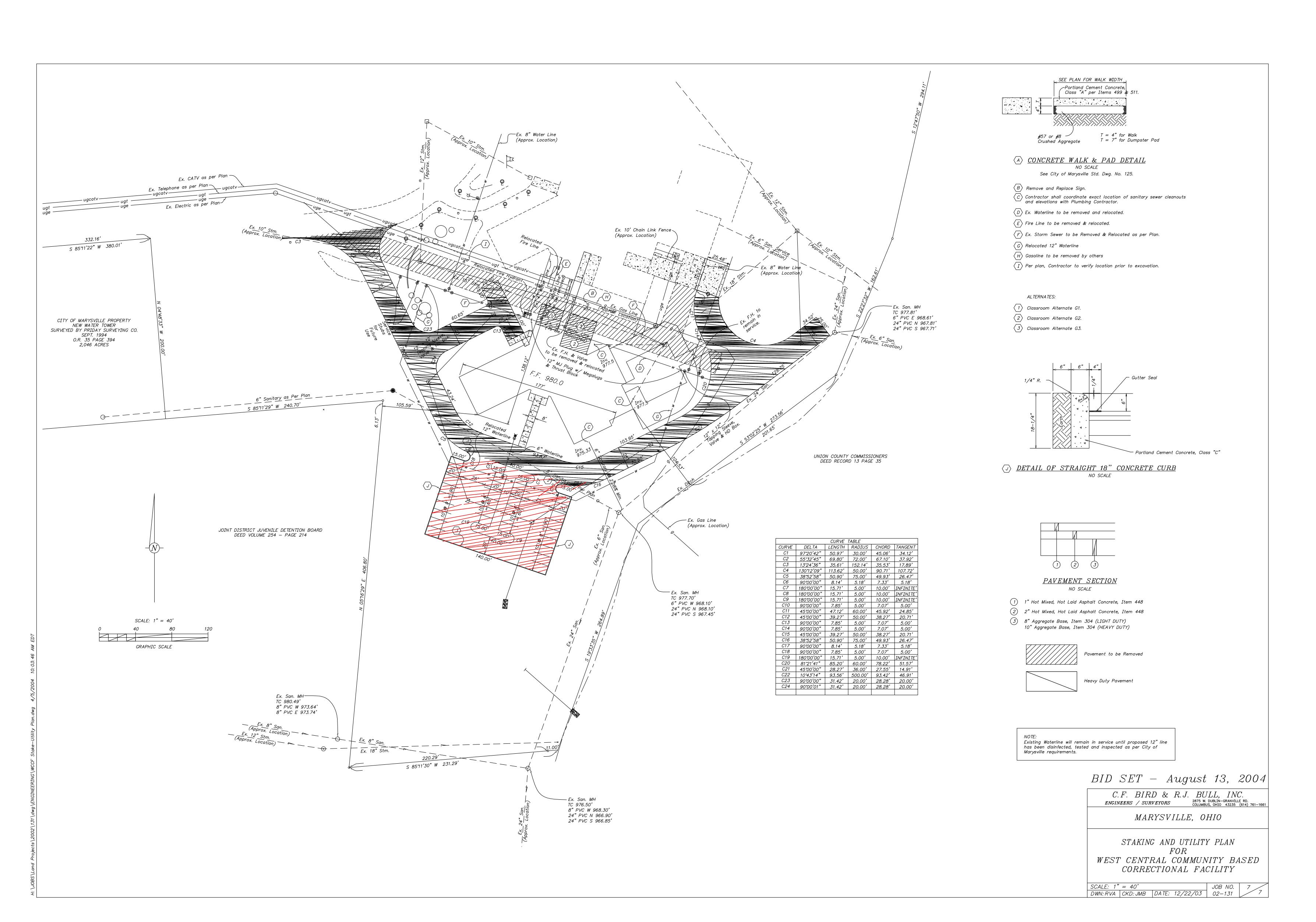
other projects being undertaken by West Central. If any problem or difficulty should arise regarding such attempts at cooperation and coordination, West Central shall be immediately informed and will determine how the parties are to move forward.

### **EXHIBIT A**

Below is a map of the existing West Central site. Area to be repaved includes all areas within the red outline.







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