Boone County, Kentucky

REQUEST FOR PROPOSAL # 120816PKS-UP

Outdoor Aquatic Center
Assessment and Feasibility Study
for the pool located in the Union Park in Boone County
For the
Boone County Fiscal Court
Parks and Recreation Department

ACCEPTANCE DATE: Prior to 2:00 p.m., DECEMBER 8, 2016 “Local time”

ACCEPTANCE PLACE
2950 Washington Street
Office of the Purchasing Agent
2nd Floor Administration Building
Burlington, Kentucky 41005

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

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

Issue Date: November 17, 2016

ANYONE IN NEED OF ANY REASONABLE ACCOMMODATION FOR ANY TYPE OF DISABILITY IN ORDER TO PARTICIPATE IN THIS PROCUREMENT, SHOULD CONTACT THE HUMAN RESOURCES OFFICE AS SOON AS POSSIBLE
The Boone County Fiscal Court will receive sealed proposals in the office of the Purchasing Agent for qualified firms to provide outdoor aquatic center assessment and feasibility study for the existing pool located in the Union Park in Boone County until **2:00 p.m. EST, Thursday, December 8, 2016**. Proposals will be opened at that time in the Fiscal Courtroom, First Floor, Administration Building. Late, electronically submitted or facsimile proposals will not be accepted.

**PROPOSAL ENVELOPE MUST BE LABELED: "SEALED PROPOSAL: AQUATIC CENTER."** Envelopes must also be labeled with the name and address of the vendor submitting the bid.

One original and five copies of the submitted proposal is required.

Any qualified firm or individual interested in offering these services may obtain a copy of the Request for Proposal information on the Boone County, Kentucky website at [www.boonecountyky.org](http://www.boonecountyky.org) or by calling the Purchasing Office at 859-334-2200.

Boone County reserves the right to reject any and all proposals, to waive any informalities and to negotiate for the modifications of any proposal or to accept that proposal which is deemed the most desirable and advantageous from the standpoint of customer value and service and concept of operations, even though such proposal may not, on its face, appear to be the lowest and best price. No proposal may be withdrawn for a period of thirty (30) days after scheduled time of receipt of proposals.

**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.*

All bidders must fill out the **REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS CLAIMING RESIDENT BIDDER STATUS.** If this form is not completed and notarized, the bid/proposal will not be considered.
The Qualifications evaluation criteria will include, but is not limited to the following:
Firm’s background and professional qualifications
Specialized experience with similar feasibility studies
Proposed schedule of the study
Staffing availability
Cost

Background

Boone County Fiscal Court acquired the facility in approximately 2003. Prior to 2003, the existing facility had been owned and operated by the Tri-City YMCA for the previous twelve years. Prior to that, the pool was a private, community swimming pool; apparently open for membership to residents within the area. Since the purchase of the facility by the YMCA, the only major improvements to the site have been the installation of a new vacuum diatomaceous earth filter system and the installation of a new roof. The roof was installed in approximately 2001, and the filter system was installed in approximately 2000. It is estimated that the existing swimming facility is approximately 38 years old, however this opinion is based upon verbal discussions and no original drawings of the facility are available.

The main pool facility is an “L” shaped 25-meter swimming pool. The pool has an aluminum floor and walls and was originally installed by the Chester Aluminum Swimming Pool Company. The wading pool is constructed of concrete walls on three sides with an aluminum wall and roll-out gutter on the south side of the pool.

The bathhouse structure is divided into two sections. One wing has the locker rooms, manager’s office and the filter area. The opposite side has the ticket counter, guard room, concessions and the filter room for the wading pool. The building itself is an 8’ single width concrete masonry unit structure. The roof system is a flat roof, with 2 x 8 or 2 x 10 rafters and plywood sheathing throughout the facility. Portions of the locker rooms on both the female and male side are open air.

The aquatic center lacks many features associated with newer facilities and is suffering from deferred maintenance. The central question the Boone County Fiscal Court desires to consider at this time is whether it is feasible or prudent to reinvest in this facility to provide a viable and long-term recreation asset for the Boone County Fiscal Court to remain in operation and to serve the growing Union area.

Scope of Work

A. Assessment of existing pool facilities:

Physical inspection and assessment of existing facility.

Identify Deficiencies and short and long term maintenance issues.
Prioritize required upgrades and needed maintenance work.

Estimated project budget.

B. Identify Area Competition and Report on how the present pool competes

Determine what amenities would be required to help compete in the area (i.e. amenities, cost, etc.)

Prioritize required upgrades and needed maintenance work.

Estimated project budget.

Deliverables

Give narratives of maintenance, repairs, improvements, and opinion of cost for the Union Pool in order to compete in the area.

Provide the Boone County Fiscal Court with ten (10) bound copies each of the Draft and Final Feasibility Study reports

Schedule

The above referenced services will be completed in draft form within ten (10) weeks of receiving a Notice to Proceed from the Owner. A Final Report will be submitted to the Owner within 10 days of receiving final Owner comments.

EVALUATION PROCESS

Each proposal will be fully evaluated. A selection team of County staff will meet and review the material submitted in response to this request. The selection team will evaluate the information provided; including the findings of the reference checks conducted, and will rate each proposal separately according to the factors set forth below.

Proposals will be evaluated in accordance with the following factors and ranked according to the total number of points the individual proposal earned, based on the stated maximum point allowance per factor.

It will be the intent of the grading system and evaluation criteria to view each statement in terms of content, not appearance. The offeror will be selected based on demonstrated competence and qualifications to perform the services and not through competitive bidding/proposal procedures. Any selection made under this solicitation shall be made to the offeror who provides the best offer for the County based on the evaluation criteria found in this Request for Proposal. Should any evaluating factor change prior to selection, the offeror shall promptly notify the County of such change.
Proposals will be evaluated in part on the manner in which the offeror is able to complete the Scope of Services. The prospective offeror is encouraged to amend the project description to reflect any tasks that are deemed necessary in order to better meet project objectives. Modifications, eliminations or replacement of any of the suggested elements, objectives or approach should be clearly stated.

Boone County reserves the right to evaluate all submitted proposals and to award the project to the submission deemed to be in the best interest of the county. A staff committee will be assigned the task of reviewing, critiquing, scoring and recommending a preferred proposal. The ultimate responsibility for awarding this project shall rest with the Boone County Fiscal Court.

The staff committee, when evaluating each proposal, shall consider the following criteria:

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KENTUCKY PREFERENCE LAWS

The scoring of bids/bids 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 nonresident 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 nonresident 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 nonresident 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 nonresident 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 nonresident 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 nonprofit corporation that furthers the purposes of KRS Chapter 163 and any qualified nonprofit 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.
REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS CLAIMING RESIDENT BIDDER STATUS

FOR BIDS AND CONTRACTS IN GENERAL:
The bidder or offeror hereby swears and affirms under penalty of perjury that, in accordance with KRS 45A.494(2), the entity bidding 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:

Is authorized to transact business in the Commonwealth;
Has for one year prior to and through the date of advertisement
Filed Kentucky income taxes;
Made payments to the Kentucky unemployment insurance fund established in KRS 341.49; and
Maintained a Kentucky workers’ compensation policy in effect.

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.

_________________________________________ ___________________________
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: __________
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)