

**REQUEST FOR PROPOSALS
CITY OF MILES CITY
JANITORIAL SERVICES AND CARPET CLEANING**

RFP No. 2017-01

RFP TITLE: Contracted Janitorial Services

RFP SUBMISSION DEADLINE: October 24, 2017 at 5:00 p.m. MST.

RFP SUBMISSION ADDRESS:

All proposals shall be submitted before the above deadline, in written form, in a sealed envelope addressed to:

Scott Gray
Public Works Director
ATTN: RFP No. 2017-01
P.O. Box 910
Miles City, MT 59301

RFP PROCUREMENT OFFICER AND CONTACT PERSON:

Scott Gray
Public Works Director
17 S. 8th St.
P.O. Box 910
Miles City, MT. 59301
(406) 234-3493

1. SOLICITATION OF OFFERS:

The City of Miles City is accepting offers from interested parties to provide contract janitorial services to the following City of Miles City facilities:

A. City Shop, 217 S. 8th Street, Miles City, Montana

2. SERVICES TO BE PROVIDED:

Services required, frequency of service, and days and times that services are to be provided are set forth for the facility in the attached Exhibit "B".

3. COPIES REQUIRED AND DEADLINE FOR RECEIPT OF PROPOSALS

Offerors must submit one original proposal and one copy to the Procurement Officer named above. The City reserves the right to request an electronic copy of the RFP response. PROPOSALS MUST BE SEALED AND LABELED ON THE OUTSIDE OF THE PACKAGE to clearly indicate that they are in response to RFP 2017-01. **Proposals must be received at the receptionist's desk of the Director of Public Works office, upstairs in City Hall, 17 S. 8th Street, Miles City, Montana 59301 prior to 5:00 p.m. October 24, 2017 local time.** FAXed responses to requests for proposals are ONLY accepted on an exception basis with prior written approval of the Procurement Officer.

Regardless of cause, late proposals will not be accepted and will automatically be disqualified from further consideration. It shall be the offeror's sole risk to assure delivery at the receptionist's desk at the designated office by the designated time. Late proposals will not be opened and may be returned to the offeror at the expense of the offeror or destroyed if requested.

5. FORM OF CONTRACT:

Successful responders will enter into the form of contract attached hereto as Exhibit "A".

6. COMPENSATION FOR SERVICES:

Your response must set forth a monthly lump sum compensation you will receive for such services. All services will be provided by you as an independent contractor, and not as an employee of the City of Miles City. You will not be eligible for any City benefits of employment. You will provide all equipment, materials and supplies necessary to carry out the services. Toilet paper, paper towels and waster receptacle bags are provided by the City.

7. REQUIRED SUBMITTALS:

The following items **MUST** be included in your response to this request for proposals to be considered responsive. **Failure to include any of these items may result in a nonresponsive determination.**

1. A separate signed, in ink, Proposal for each facility for which you wish to make an offer, in the form attached hereto as Exhibit "C", stating a monthly lump sum compensation amount in U.S. Dollars for that facility. **The Exhibit "B" for such facility must be attached to the Proposal and initialed by you in ink.**
2. Certificate of Insurance evidencing Worker's Compensation insurance coverage on proposer and proposer's employees, or Independent Contractor Exemption Certificate issued by the Montana Department of Labor and Industry pursuant to §39-71-417 MCA
3. Signed, in ink, list of references, including name, address and telephone number on the form attached hereto as Exhibit "D". Preference will be given to references for whom you have previously provided janitorial services.
4. Signed acknowledgment of any Addenda issued. Please contact the City's website,

<http://miles-city-mt.org> after October 6, 2017 for any Addenda issued in regard to this Request for Proposals.

5. Attached listing of all equipment available to you to perform the proposed services, listing make and model of equipment, if available.

6. If you will be using a subcontractor or subcontractors in the performance of the work, a separate listing stating the full name and address of the subcontractor, evidence of that subcontractor's Worker's Compensation insurance coverage or an Independent Contractor Exemption Certificate issued by the Montana Department of Labor and Industry for such subcontractor, pursuant to §39-71-417 MCA. If the subcontractor is an entity, state the full name and address of each principal of such entity.

8. CONTRACT TERM

The contract term is for a period beginning upon acceptance of offers beginning November 15, 2017 and ending June 30, 2018. However, by its terms, the Contract may be terminated by either party upon 30 days advanced written notice to the other party. Renewals of the contract, by mutual agreement of both parties, may be made at yearly intervals (July 1 through June 30), or any interval that is advantageous to the City. This contract, including any renewals, may not exceed a total of two (2) years, at the option of the City.

9. SINGLE POINT OF CONTACT

From the date this Request for Proposal (RFP) is issued until an offeror is selected and the selection is announced by the City of Miles City, offerors are not allowed to communicate with any City staff or officials regarding this procurement, except at the direction of Scott Gray the procurement officer in charge of the solicitation. Any unauthorized contact may disqualify the offeror from further consideration. All questions concerning this RFP shall be addressed in writing to the procurement officer.

1. **Form of Questions.** Offerors with questions or requiring clarification or interpretation of any section within this RFP must address these questions in writing or via e-mail to the procurement officer referenced above on or before 5:00 p.m. on **October 16, 2017**. Each question must provide clear reference to the section, page, and item in question. Questions received after the deadline may not be considered.

2. **City's Response.** The City will provide an official written response by **October 18, 2017** to all written questions received by **October 16, 2017**. The City's response will be by formal written addendum. Any other form of interpretation, correction, or change to this RFP will not be binding upon the City. Any formal written addendum will be posted on the City's website alongside the posting of the RFP at <http://miles-city-mt.org> by the close of business on the date listed. Offerors must sign and return with their RFP response an Acknowledgment of Addendum for any addendum issued.

10. GENERAL REQUIREMENTS

1 Acceptance of Standard Terms and Conditions/Contract. By submitting a response to this RFP, offeror agrees to acceptance of the standard terms and conditions and contract as set out in Exhibit “A” of this RFP. Much of the language included in the standard terms and conditions and contract reflects requirements of Montana law. Requests for additions or exceptions to the standard terms and conditions, contract terms, including any necessary licenses, or any added provisions must be submitted to the procurement officer referenced above by the date for receipt of written/e-mailed questions. Any request must be accompanied by an explanation of why the exception is being sought and what specific effect it will have on the offeror's ability to respond to the RFP or perform the contract. The City reserves the right to address nonmaterial requests for exceptions with the highest scoring offeror during contract negotiation. Any material exceptions requested and granted to the standard terms and conditions and contract language will be addressed in any formal written addendum issued for this RFP and will apply to all offerors submitting a response to this RFP. The City will make any final determination of changes to the standard terms and conditions and/or contract.

2. Resulting Contract. This RFP and any addenda, the offeror's RFP response, including any amendments, a best and final offer, and any clarification question responses shall be included in any resulting contract. The City's contract, attached as Exhibit “A”, contains the contract terms and conditions which will form the basis of any contract between the City and the highest scoring offeror. In the event of a dispute as to the duties and responsibilities of the parties under this contract, the contract, along with any attachments prepared by the City, will govern in the same order of precedence as listed in the contract.

3. Understanding of Specifications and Requirements; Walk Through of Facilities. By submitting a response to this RFP, offeror agrees to an understanding of and compliance with the specifications and requirements described in this RFP. Offerors are encouraged to attend the walk through, of any facility for which they intend to submit an offer.

Walk-throughs will be conducted on October 16, 2017 as follows:

- a. City Shop- 217 S 8th St @ 9:00am

4. Prime Contractor/Subcontractors. The highest scoring offeror will be the prime contractor if a contract is awarded and shall be responsible, in total, for all work of any subcontractors. All subcontractors, if any, must be listed in the proposal. The City reserves the right to approve all subcontractors. The Contractor shall be responsible to the City for the acts and omissions of all subcontractors or agents and of persons directly or indirectly employed by such subcontractors, and for the acts and omissions of persons employed directly by the Contractor. Further, nothing contained within this document or any contract documents created as a result of any contract awards derived from this RFP shall create any contractual relationships between any subcontractor or employee and the City.

5. Offeror's Signature. The proposals must be signed in ink by an individual authorized to legally bind the business submitting the proposal. The offeror's signature on

a proposal in response to this RFP guarantees that the offer has been established without collusion and without effort to preclude the City of Miles City from obtaining the best possible supply or service. Proof of authority of the person signing the RFP response must be furnished upon request.

6. **Offer in Effect for 120 Days.** A proposal may not be modified, withdrawn, or canceled by the offeror for a 120-day period following the deadline for proposal submission as defined above, or receipt of best and final offer, if required, and offeror so agrees in submitting the proposal.

11. FAILURE TO COMPLY WITH INSTRUCTIONS.

Offerors failing to comply with these instructions may be subject to point deductions. The City may also choose to not evaluate, may deem nonresponsive, and/or may disqualify from further consideration any proposals that do not follow this RFP format, are difficult to understand, are difficult to read, or are missing any requested information.

12. RECEIPT OF PROPOSALS AND PUBLIC INSPECTION

1. **Public Information.** All information received in response to this RFP, including copyrighted material, is deemed public information and will be made available for public viewing and copying shortly after the time for receipt of proposals has passed with the following three exceptions: (1) bona fide trade secrets meeting the requirements of the Uniform Trade Secrets Act, Title 30, chapter 14, part 4, MCA, that have been properly marked, separated, and documented; (2) matters involving individual safety as determined by the City; and (3) other constitutional protections. See section 18-4-304, MCA. The City will make a copier available for interested parties to use at \$0.50 per page. The interested party is responsible for the cost of copies and to provide personnel to do the copying.

2. **Procurement Officer Review of Proposals.** Upon opening the proposals received in response to this RFP, the procurement officer in charge of the solicitation will review the proposals and separate out any information that meets the referenced exceptions in Section 1 above, providing the following conditions have been met:

- a. Confidential information is clearly marked and separated from the rest of the proposal.
- b. The proposal does not contain confidential material in the cost or price section.
- c. An affidavit from an offeror's legal counsel attesting to and explaining the validity of the trade secret claim as set out in Title 30, chapter 14, part 4, MCA, is attached to each proposal containing trade secrets.

Information separated out under this process will be available for review only by the procurement officer, the evaluator/evaluation committee members, and limited other designees. Offerors must be prepared to pay all legal costs and fees associated with defending a claim for confidentiality in the event of a "right to know" (open records) request from another party.

13. CLASSIFICATION AND EVALUATION OF PROPOSALS

1. **Initial Classification of Proposals as Responsive or Nonresponsive.** All proposals will initially be classified as either "responsive" or "nonresponsive," in accordance with the required submittals of this Request. Proposals may be found nonresponsive at any time during the procurement process if any of the required information is not provided; the submitted price is found to be excessive or inadequate as determined by the City; or the proposal is not within the plans and specifications described and required in the RFP. If a proposal is found to be nonresponsive, it will not be considered further.

2. **Determination of Responsibility.** The procurement officer will determine whether an offeror has met the standards of responsibility in accordance with Administrative Rules of Montana (ARM) 2.5.407. Such a determination may be made at any time during the procurement process if information surfaces that would result in a determination of nonresponsibility. If an offeror is found nonresponsible, the determination must be in writing, made a part of the procurement file, and mailed to the affected offeror.

3. **Evaluation of Proposals.** The Finance Committee of the City Council will evaluate the remaining proposals and recommend whether to award the contract to the highest scoring offeror or, if necessary, to seek discussion/negotiation or a best and final offer in order to determine the highest scoring offeror. All responsive proposals will be evaluated based on stated evaluation criteria. In scoring against stated criteria, the City may consider such factors as accepted industry standards and a comparative evaluation of all other qualified RFP responses in terms of differing price, quality, references, and contractual factors. These scores will be used to determine the most advantageous offering to the City. If the Finance Committee meets to deliberate and evaluate the proposals, the public may attend and observe the committee deliberations.

4. **Completeness of Proposals.** Selection and award will be based on the offeror's proposal and other items outlined in this RFP. Submitted responses may not include references to information located elsewhere, such as Internet websites or libraries, unless specifically requested. Information or materials presented by offerors outside the formal response or subsequent discussion/negotiation or best and final offer, if requested, will not be considered, will have no bearing on any award, and may result in the offeror being disqualified from further consideration.

5. **Scoring Criteria.** The following scoring criteria will be applied: Completeness of Proposal: 10%

Listing of equipment available:	10%
Offered Compensation:	40%
Strength of References:	40%

6. **Opportunity for Discussion/Negotiation and/or Oral Presentation/Demonstration of Services.** After receipt of all proposals and prior to the determination of the award, the City may initiate discussions with one or more offerors should clarification or negotiation be necessary. Offerors may also be required to make an oral presentation and/or services demonstration to clarify their RFP response or to further define their offer. In either case, offerors should be prepared to send qualified personnel to Miles City, Montana, to discuss technical and contractual aspects of the proposal. Oral presentations and product demonstrations, if requested, shall be at the offeror's expense.

7. **Best and Final Offer.** The Best and Final Offer is an option available to the City under the RFP process, which permits the City to request a best and final offer from one

or more offerors if additional information is required to make a final decision. Offerors may be contacted asking that they submit their best and final offer, which must include any and all discussed and/or negotiated changes. The City reserves the right to request a best and final offer for this RFP, if any, based on price/cost alone. Such requests will be made in order of scoring, with the best scoring proposal given first opportunity at a Best and Final Offer.

8. Committee Recommendation for Contract Award. The Finance Committee will provide a written recommendation for contract award to the City Council that contains the scores, justification, and rationale for the decision.

9. Request for Documents Notice. Upon the Finance Committee's recommendation, the Procurement Officer will issue a "Request for Documents Notice" to the highest scoring offeror to obtain the required documents/information, such as insurance documents, contract performance security, an electronic copy of any requested material, i.e., RFP response, response to clarification questions, and/or best and final offer, and any other necessary documents. Receipt of the "Request for Documents Notice" does not constitute a contract and no work may begin until a contract signed by all parties is in place and the City Council, by resolution, has approved such contract. The procurement officer will notify all other offerors of the City's selection.

10. Contract Execution. Upon receipt of all required materials requested in the "Request for Documents Notice," a formal contract utilizing the contract attached as Exhibit A, as well as the highest scoring offeror's response to the RFP, will be provided to the highest scoring offeror for signature. The highest scoring offeror will be expected to accept and agree to all material requirements contained in the contract and set out in the Exhibits to this RFP. If the highest scoring offeror does not accept all material requirements, the City may move to the next highest scoring offeror, or cancel the RFP. Work under the contract may begin when the contract is fully executed, i.e., when the contract is signed by all parties and approved by resolution of the City Council.

14. CITY'S RIGHTS RESERVED

While the City has every intention to award a contract as a result of this RFP, issuance of the RFP in no way constitutes a commitment by the City of Miles City to award and execute a contract. Upon a determination such actions would be in its best interest, the City, in its sole discretion, reserves the right to:

- Cancel or terminate this RFP;
- Reject any or all proposals received in response to this RFP;
- Waive any undesirable, inconsequential, or inconsistent provisions of this RFP which would not have significant impact on any proposal;
- Not award if it is in the best interest of the City not to proceed with contract execution; or
- If awarded, terminate any contract if the City determines adequate City funds are not available.

EXHIBIT “B”

SERVICES TO BE PROVIDED AND FREQUENCY

The following schedule applies to all areas (offices) at the City Shop Building.

Description of Services:	Frequency:	Day/Time to be Provided:	Other:
Empty trash receptacles	One time per week	After 5pm on weekdays and no time restrictions on weekends	Install garbage bags
Clean & sanitize all restrooms	One time per week	Same	
Clean front entry	One time per week	Same	
Dust &/or Damp Mop all uncarpeted floors	One time per week	Same	Two front offices and break room front entry way
Clean trash receptacles	One time per month	Same	

Initialed for identification

City

Contractor

EXHIBIT "C"

(REV. 10-04-17)

CITY OF MILES CITY RFP 2017-01

OFFEROR:

Name: _____

Mailing Address: _____

Physical Address: _____

Telephone Number: _____

FACILITY FOR WHICH OFFER IS SUBMITTED Place a check in the box next to the facility for which this offer applies. (Use a separate offer for each facility):

City Shop

OFFER - JANITORIAL SERVICES:

Offeror hereby offers to perform the services identified in Exhibit "B" as to the above facility and in accordance with the terms of the contract identified in Exhibit "A" to the RFP, for the sum of \$_____ per month.

Initial: _____

ACKNOWLEDGMENT OF REVIEW OF DOCUMENTS

By submitting this offer, Offeror acknowledges that it has read and understands all terms, conditions and exhibits to Request for Proposals No. 2017-01 and is qualified to perform the services sought under this Request for Proposals

SIGNATURE - OFFEROR:

(Signature - in ink) Date: _____

(Print name)

Company Name (if legal entity)

Title

EXHIBIT “C”

(REV. 10-04-17)

CHECKLIST

- § **Have you signed and initialed all documents in ink?**
- § **Have you submitted a separate proposal for each facility on which you wish to make an offer?**
- § **Have you initialed and attached a copy of the Exhibit “B” for the facility on which you made the offer?**
- § **Have you attached your listing of equipment?**
- § **If you propose using subcontractors, have you attached your listing of subcontractors?**
- § **Have you attached Worker’s Compensation or exemption documents for yourself and any subcontractors?**
- § **Have you attached your list of references?**
- § **Have you acknowledged any addenda?**
- § **Have you stated the dollar amount of your offer as monthly, rather than annually?**

EXHIBIT "D"

CITY OF MILES CITY RFP 2017-01

OFFEROR:

Name: _____

I submit the following references as to my ability to perform the services set forth in RFP 2017-01 in a professional manner.

Reference Name: _____

Business Name of Reference: _____

Mailing Address: _____

Telephone Number: _____

† I have performed janitorial services for this reference

† I have not performed janitorial services for this reference

Reference Name: _____

Business Name of Reference: _____

Mailing Address: _____

Telephone Number: _____

† I have performed janitorial services for this reference

† I have not performed janitorial services for this reference

Reference Name: _____

Business Name of Reference: _____

Mailing Address: _____

Telephone Number: _____

† I have performed janitorial services for this reference

† I have not performed janitorial services for this reference

AUTHORITY TO CONTACT REFERENCE

I hereby authorize the City of Miles City to contact the above-named references and interview them as to my qualifications to perform the services proposed under RFP 2017-01. I authorize any reference named above to provide any pertinent requested information to the City of Miles City.

SIGNATURE:

_____ Date: _____

(Print name)

Title