PROJECT:
Replace Rooftop Unit #5: Chiles Hall
RFP 09-0014
PREPARED:
September 24, 2009
NOTICE

PROJECT:
Replace Rooftop Unit #5: Chiles Hall
RFP 09-0014

PREPARED:
September 24, 2009

Receipt of this RFP must be acknowledged no later than: October 2, 2009

This acknowledgement must be filled out and sent via fax to:
Attn: Procurement
Fax: (502) 897-4398

<table>
<thead>
<tr>
<th>First Name*</th>
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<tbody>
<tr>
<td>Last Name*</td>
<td></td>
</tr>
<tr>
<td>Company Name*</td>
<td></td>
</tr>
<tr>
<td>Street Address 1*</td>
<td></td>
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<tr>
<td>Street Address 2</td>
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<tr>
<td>City *</td>
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<td>Phone Number*</td>
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<td>Fax Number*</td>
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*Indicates required field

Failure to acknowledge receipt may disqualify any submitted proposal.
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A. SCOPE AND INFORMATION ON PROJECT/PRODUCT

Project/Product: Replace Rooftop Unit #5: Chiles Hall

RFP Number: RFP 09-0014

Date Issued: September 24, 2009

Method of Award: Competitive Bidding and Scope of Work

Name of Buyer: Andy Donahou, Director of Procurement

SCHEDULE OF EVENTS

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>1. RFP Distribution to Vendors</td>
<td>09/24/09</td>
</tr>
<tr>
<td>2. Written Confirmation of Vendors with Bid Intention</td>
<td>10/02/09</td>
</tr>
<tr>
<td>3. Questions from Vendors about scope or approach due</td>
<td>10/09/09</td>
</tr>
<tr>
<td>4. Proposal Due Date</td>
<td>10/16/09</td>
</tr>
<tr>
<td>5. Target Date for Review of Proposals</td>
<td>10/16/09</td>
</tr>
<tr>
<td>6. Final Vendor Selection Discussion(s)--Week of</td>
<td>10/16/19</td>
</tr>
<tr>
<td>7. Vendors Notified on Acceptance/Rejection of Bid</td>
<td>10/16/09</td>
</tr>
<tr>
<td>8. Anticipated commencement date of work</td>
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</table>
TECHNICAL CONTACT
Any questions concerning technical specifications or Statement of Work (SOW) requirements must be directed to:

<table>
<thead>
<tr>
<th>Name</th>
<th>Robert Konemann, Project Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>2825 Lexington Road, Louisville, KY 40280</td>
</tr>
<tr>
<td>Phone</td>
<td>741-4458</td>
</tr>
<tr>
<td>FAX</td>
<td>897-4088</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:rkonemann@sbts.edu">rkonemann@sbts.edu</a></td>
</tr>
</tbody>
</table>

RFP SUBMITTALS & CONTRACTUAL CONTACT
RFPs should be submitted to the following Seminary representative for processing and evaluation. In addition, any questions regarding contractual terms and conditions or proposal format must be directed to this person as well.

<table>
<thead>
<tr>
<th>Name</th>
<th>Andy Donahou, Director of Procurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>2825 Lexington Road, Louisville, KY 40280</td>
</tr>
<tr>
<td>Phone</td>
<td>897-4722</td>
</tr>
<tr>
<td>FAX</td>
<td>897-4202</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:adonahou@sbts.edu">adonahou@sbts.edu</a></td>
</tr>
</tbody>
</table>

DUE DATES
A written confirmation of the Vendor’s intent to respond to this RFP is required by 10/02/09. All proposals are due by 10/16/09 00:00. Any proposal received at the designated location after the required time and date specified for receipt shall be considered late and non-responsive. Any late proposals may not be evaluated for award.
SCOPE:

Replace the Rooftop Unit #5 on top of Chiles Hall:

Specifications are as follows:
1. Trane unit 17.5 ton Model # YCD210C4H0BA
2. Remove all refrigerant as per EPA standards
3. Remove existing unit and replace
4. Include all electrical
5. Include all gas repiping
6. Install new outside air dampers
7. Install condensate piping
8. Include Crane rental
9. Include any resealing and roof repair

Excludes: Any and all control work on unit.

All labor to be performed during regular hours.

ALTERNATE: Bidders may suggest an equivalent unit from a different manufacturer in addition to pricing on the Trane unit. Alternate must be equivalent to the 17.5 ton model mentioned above. Bidders should list all specification on the alternate unit.
Qualified Vendors are invited to submit proposals, based on the information provided in this RFP, to establish a business relationship with the Seminary that will maximize the resources of both organizations to most effectively meet the needs of Seminary customers.
B. General Instructions to Vendors

PREPARATION OF OFFERS
Each individual or organization ("Vendor") responding to the RFP shall furnish the information required by the proposal. The Vendor shall sign the proposal and print or type his/her Name, Company Name, Address, Telephone Number and Date. The person signing the offer must initial erasures or other changes. Offers signed by an agent are to be accompanied by evidence of this authority unless such evidence has been previously furnished to the issuing office.

INSURANCE
Any vendor, service company, contractor, sub-contractor or other person or persons employed by SBTS to perform any work, construction, operate vehicles, inspections, install their product, etc., and will provide a "certificate of insurance or Accord certificate". This certificate shall be presented to the Procurement Department BEFORE any service or work is to be started or initiated on Seminary property.

The Independent Contractor / Consultant shall maintain insurance coverages during the term of this agreement as follows:

A. Workers Compensation. As required by law in the State of Kentucky, covering all persons employed by the Independent Contractor / Consultant in rendering the services contemplated by this agreement.
B. Liability. Comprehensive or commercial general bodily injury and property damage liability insurance in an amount not less than $1,000,000 for each occurrence.
C. Each of the above insurance policies shall contain covenants by the issuing company (1) stating that the policy shall not be cancelled without thirty (30) days' prior written notice of cancellation to the Seminary, and (2) naming the Seminary as an additional insured.

SAFETY REQUIREMENTS
Any vendor shall comply, practice, and strive to meet all guidelines, standards, laws, procedures, and/or policies as described by OSHA. These include federal as well as state directives. Supervisors from the Department of Safety and Security, Facilities, and Procurement Department shall be the responsible parties on behalf of SBTS that all OSHA standards are met by any person, company, service provider, etc., that conducts business at the SBTS. If any safety standard is not being adhered to, these supervisors will notify the appropriate person for correction. If a safety [OSHA] concern continues, proper actions will be taken to ensure the fiscal/financial responsibility of the SBTS.

Proper safety requirements include, but are not limited to; Proper Protection Equipment, Hazardous Materials Communication, knowledge of different machinery, Material Data Safety Sheets, posting of OSHA requirements, confined spaces, scaffolding - ladders - and /or all other equipment needed for working above ground and/or any other applicable standard.

CONFLICT OF INTEREST
Vendors responding to this Request for Proposal are required to disclose any potential conflict of interest. The term "conflict of interest" refers to situations in which financial or other personal considerations may adversely affect, or have the appearance of adversely affecting, an employee’s professional judgment in exercising any Seminary duty or responsibility in administration, management, instruction, research and other professional activities. The bias such conflicts could conceivably impart may inappropriately affect the goals of research, instructional, or administrative programs. The education of students, the methods of analysis and interpretation of research data, the hiring of staff, procurement of materials, and other administrative tasks at the Seminary must be free of the undue influence of outside interests.

The mere appearance of a conflict may be as serious and potentially damaging as an actual distortion of instructional, research, or administrative goals, processes, or outcomes. Reports of conflicts based on appearances can undermine public trust in ways that may not be adequately restored even when the mitigating facts of a situation are brought to light. Apparent conflicts, therefore, should be disclosed and evaluated with the same vigor as actual conflicts.

In accordance with the Business and Financial plan of the SBC, the Seminary shall, as a normal operating policy, refrain from entering any business transaction with a trustee or employee, or a business enterprise in which a trustee or employee has an interest.
An exception to the policy may be made, at the discretion of the Board of Trustees; in any case wherein it appears that a commodity or service is unavailable on a more favorable basis from any other source, or a commodity or service, at the discretion of the board, is found to be in the best interest of the Seminary. Competitive bids will be taken when possible. In any case being considered for exception, the extent of the Trustees' or employees' interest shall be disclosed to the entire board.

**SUBMISSION OF OFFERS**

Offers and modifications thereof shall be enclosed in sealed envelopes and addressed to the Office specified in the solicitation. The Vendor shall show the hour and date specified in the solicitation for receipt, the solicitation number, and the name and address of the Vendor on the face of the envelope. The Request for Proposal number must appear on the outside of the envelope. The Request for Proposal must be signed.

Request for Proposals must be submitted in a sealed envelope and received in the Central Stores at the Seminary, Louisville, Kentucky, not later than **4:30 PM**, local time, on the specified date, at which time all proposals received will be given to the buyer responsible for the proposal. Proposals received after this time shall be deemed non-responsive and will not be considered for award. All proposals become the property of the Seminary. The successful proposal will be incorporated into the resulting contract by reference.

**INTERPRETATION OF RFP**

If any person contemplating the submission of a proposal has any doubt as to the true meaning of any part of the RFP, he/she should contact **Sid Hill, Supervisor of Central Stores, (502) 897-4397.**

**MODIFICATION OR WITHDRAWAL OF OFFERS**

Offers may be modified by written notice received prior to the exact hour and date specified for receipt of offers. An offer may be withdrawn in person by an Vendor or his/her authorized representative, provided his/her identity is made known and he signs a receipt for the offer, but only if the withdrawal is made prior to the exact hour and date set for receipt of offers. Offers received at the office designated in the solicitation after the exact hour and date specified for receipt will not be considered. Proposals that have clerical errors or any irregularity are subject to correction only with concurrence of the Department of Procurement.

**AWARD OF CONTRACT - COMPETITIVE NEGOTIATION**

A written award (or acceptance of offer) mailed (or otherwise furnished) to the successful Vendor shall be deemed to result in a binding contract without further action by either party, and all terms and conditions of this RFP are hereby incorporated into any such contract.

**MULTIPLE REQUEST FOR PROPOSALS**

Unless otherwise specified, only one price, brand and/or model may be proposed for each item in the RFP. Vendors must determine their single best offering based on the specifications in the RFP. Proposals not conforming to this requirement will be rejected.

**COMPLIANCE WITH STATE LAWS**

It is agreed and understood that the rights and obligations of the parties to any contracts issued and/or orders placed as a result of this proposal shall be governed in accordance with the laws of the Commonwealth of Kentucky.

**AMENDMENTS**

It is recognized that subsequent written amendments to the awarded contract may be necessary; and all such amendments will require the mutual agreement of the parties.

**CANCELLATION**

Any contract shall be non-cancelable during its life except for mal-performance, non-performance, or failure to comply with specifications stated herein on the part of the Vendor. If a protest is filed, depending on the outcome of the protest, the contract/order may be cancelled or confirmed. In the event of such action being necessary, the contract or order shall be null and void upon receipt of written notice from the Department of Procurement.

**PAYMENT TERMS**

Payment terms will be net 30 days from the Department of Procurement. Larger scale construction projects may result in scheduled payments as negotiated between the vendor and Department of Procurement. Early payment for discounts are also available.
RESTRICTIONS ON COMMUNICATIONS
From the issue date of this RFP until a proposal is selected and announced, Vendors are not allowed to communicate with any Seminary staff concerning the RFP except:

- The Seminary buyer cited in this RFP
- Seminary representatives during oral presentations
- Via written questions submitted to the Seminary buyer

On the event of a violation of this provision, the Seminary reserves the right to reject the proposal.

C. VENDOR REQUIREMENTS
The vendor must complete the attached Vendor Data and Proposal Form in order to be considered for this RFP. Please respond specifically to each of the following questions or areas of concern identified on this form.
The Vendor shall designate a person in the company as the primary contact for the project. This person must play a major part in any oral presentations made to the participants.

Supply detailed information concerning these primary contacts. This information should include name, job title, education, level of experience, present responsibility and any other pertinent information.

In submitting bid, Vendor indicates that he has sufficient labor, tools, equipment, and other items necessary to expedite and complete installation within a reasonable time and that he is able to commence work upon completion of an agreement with the Seminary for said work.

The Seminary reserves the right to accept or reject any or all bids, and to waive any formality in bidding. Each bidder, before submitting a bid, shall visit the site, check all the measurements and thoroughly familiarize themselves with all existing conditions likely to be encountered in the work to be done under this contract.
The Southern Baptist Theological Seminary

Vendor Data and Proposal Form

RFP Name: Replace Rooftop Unit #5: Chiles Hall
RFP Number: RFP 09-0014

1. Company Contact Information:
   Your Company Name: _________________________________________________________________
   Contact Person Assigned to this RFP: ____________________ Email: __________________________
   Company Address: __________________________________________________________________
   Contact Phone:____________________________  Contact Fax: ____________________________

2. Proposal Summary: Must attach documentation outlined exactly as it appears below.
   a. Scope (attachments are acceptable and may be necessary):
   b. Time Frame:
   c. Discuss all customer service related issues to this project:
   d. Fully describe any and all warranties available (attachments are acceptable and may be necessary):

3. Company Information:
   a. Number of years your company has been in business: _________________
   b. Number of educational institutions (primary, secondary, and post-secondary) your company has provided services to: _________________
   c. Percentage of business from educational institutions: _________________
   d. Average project award from educational institutions (in dollars): _________________
   e. Trade References (Must list three. Preferably educational institutions):
      1. Organization Name: _________________________________________________
         Contact Name: _________________________________________________
         Contact Title: _________________________________________________
         Contact Number: _________________________________________________
         Contact Email: _________________________________________________
2. Organization Name: _________________________________
   Contact Name: _________________________________
   Contact Title: _________________________________
   Contact Number: _________________________________
   Contact Email: _________________________________

3. Organization Name: _________________________________
   Contact Name: _________________________________
   Contact Title: _________________________________
   Contact Number: _________________________________
   Contact Email: _________________________________

f. Vendor credit/financial information:
   Vendors are required to provide the following information according to the schedule listed below:
   1. Projects $10,000 - $99,000  List 3 trade references above
   2. Projects $100,000 - $999,000  3 references and SBTS will run credit report
   3. Projects $1,000,000+   Previous 2 years audit financial statements

By signing this form, I signify that I am a representative of the company listed above and that I am authorized by this company to extend the commitments outlined above. I further agree to fulfill the obligations as stated above if approved, within the time frame specified in the request for proposal.

________________________________
Date

FOR SBTS USE ONLY:

| Date RFP Received |  |
| Date Reviewed     |  |
| Date Awarded      |  |
| Reason for Acceptance/Rejection | |

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