

**Gadsden City Schools
1026 Chestnut St.
Gadsden, AL 35901**

BID# 2023.117

April 18, 2023

10:00 PM

INVITATION TO BID

Teaching Garden Program for Gadsden City Schools

Gadsden City Schools intends to implement a Teaching Garden Program for the 2023-2024 academic year. The program will consist of three components: (1) School day education at five elementary schools; (2) Afterschool programming at eight elementary schools; (3) Manage the community garden located at the Annex.

Gadsden City Schools will receive sealed bids for the attached specifications. All proposals must be delivered to Dr. David Asbury, no later than **Tuesday, May 2, 2023 at 1:00 PM** at Gadsden City Schools Central Office, 1026 Chestnut St., Gadsden, AL 35901. Bids and modifications received after that time will not be considered.

The bid opening will be held at 1:00 PM at the Gadsden City Board of Education, 1026 Chestnut St., Gadsden, AL 35901. No oral, telegraphic, email or telephone proposal modifications will be accepted. All bidders are to submit sealed bids on proposal forms furnished by Gadsden City Schools which are enclosed. Bids may be withdrawn prior to the time set for the bid opening, but may not be withdrawn after the time set for the bid opening. Bid will remain in effect for 90 days from the bid opening.

Documents required to submit with sealed bid: Bidder Response Form, Authorized Signature Form-2 pages, Gadsden City Schools Immigration Form-2 pages and e-verify proof, and Non-Collusion.

SEALED ENVELOPE SHOULD BE PLAINLY MARKED “BID #2023.117”.

Questions concerning this bid should be directed to Hector Baeza 256-549-2947.

BIDDERS ARE REQUESTED TO RETAIN THESE SPECIFICATIONS, CONDITIONS AND INSTRUCTIONS FOR FUTURE REFERENCE.

I. METHOD OF AWARD

- A. *The award will be made in accordance with §§ 16-13B-1, et seq. of the Code of Alabama.*
- B. The award will be made to the lowest responsible bidder(s) meeting requirements and specifications, provided that the bid is reasonable, and that it is in the best interest of Gadsden City Schools to accept it.
- C. Gadsden City Schools will select the lowest responsible bidder by taking into consideration the qualities of the commodities proposed to be supplied, their conformity with specifications, the purposes for which required, the terms of delivery, transportation charges, warranty, and the dates of delivery. Gadsden City Schools may also consider the bidder's past service history, past performance, serviceability of product, total cost of ownership, and experience and longevity of bidder.
- D. Gadsden City Schools reserves the right to accept or reject any or all bids.
- E. Gadsden City Schools reserves the right to waive minor irregularities and/or informalities in bids.
- F. The decision of Gadsden City Schools is final.

II. PRICING

- A. All prices submitted on this bid are to be delivered prices and shall not include any state or local taxes.
- B. The bidder offers and agrees to furnish any or all items written in specifications and quantity stated on the bid and delivered with specification included.

III. QUANTITY

The district anticipates contracting to provide a Teaching Garden Program during and after school for various grades.

IV. BACK ORDERS

If services and materials cannot be provided, the district will be notified as early as possible, preferably in writing. Excessive backorders may be cause for cancellation of the contract.

V. CANCELLATION

No item in this bid is to be canceled without prior consent of Gadsden City Schools.

VI. DEFAULT

- A. If at any time the vendor makes a delivery that is not in accordance with bid specifications without consent of Gadsden City Schools, such delivery shall constitute

grounds for the cancellation of the contract and/or removal of this vendor from the Gadsden City Schools vendor considerations for not less than one (1) year.

B. ANY VENDOR ISSUING ANY TYPE OF GIFT, PREMIUMS, OR OTHER TYPE OF FAVOR TO ANY EMPLOYEE OF THE GADSDEN CITY SCHOOLS SHALL CONSTITUTE GROUNDS FOR THE CANCELLATION OF THE CONTRACT AND SHALL BE EXCLUDED FROM THE MAILING LIST OF ALL PURCHASES MADE BY GADSDEN CITY SCHOOLS.

C. Where a successful bidder violates or breaches any of the terms of the contract resulting from this Invitation to Bid, Gadsden City Schools may terminate the contract at any time, and require a complete refund of all monies it has expended in accordance with the same. Gadsden City Schools may also, at any time, terminate any resulting contract for convenience and in such event, Gadsden City Schools will be responsible to the successful bidder only for the reasonable cost of any services or product already provided to Gadsden City Schools at the time of such termination.

VII. SUBSTITUTIONS

A. Any bidder wishing to supply alternate items other than specified shall submit a request for substitution detailing the alternate items to Gadsden City Schools 10 days before bid opening.

SPECIFICATIONS

Responsibilities of successful bidder

The listing below contains desirable components for the Teaching Garden Program. Other additional components or features are also welcome.

Minimum Desired Features and/or Components

Component 1: Full Time Education at five elementary schools

Each school will receive:

- Garden educator to meet with all classes Kindergarten through 5th grade
- 3rd – 5th in the fall/ K-2nd in the spring
- Each student to experience 7 weeks of instruction on a bi-weekly basis during the year
- Classes will be 30-45 minutes in length
- Garden Lesson to include but not limited to: planting, harvesting, cooking, math and reading lessons aligned with the Alabama Course of Study. Service providers will individualize lessons based on needs determined by ACAP results
- **Maintain garden beds year-round. Service to end December 31, 2024**
- Produce harvested to be shared with faculty and families
- Service provider will submit a log signed off by the school principal documenting services provided with each invoice
- Invoices to be submitted and paid on a monthly basis

Component 2. Afterschool Programming at eight elementary schools

Each school will receive:

- 4 hours of education and garden maintenance per semester
- 2 hours each visit, students will be divided up into 2 or 3 groups
- Rotate through all schools 4 times during the school year
- Activities to include but not limited to: planting, seed saving, nature connections, cooking
- Service provider will submit a log signed off by the site director documenting services provided with each invoice
- Invoices to be submitted and paid on a monthly basis

Component 3: Maintain the Community Garden

- Weekly maintenance and distribution of fruits and vegetables
- Educate neighbors, students, and families on growing and harvesting
- Provide a safe community space for the 12th Street area in Gadsden, AL
- **Maintain garden beds year-round. Service to end December 31, 2024**

- Stage two community events, one each semester at the Community Garden
- Prepare and distribute flyers advertising community events to each participating school and afterschool program.

IMMIGRATION FORM

GADSDEN CITY SCHOOL SYSTEM – COMPLIANCE WITH SECTION 31-13-9 OF THE CODE OF ALABAMA

Section 31-13-9 of the *Code of Alabama*, as amended (see Alabama Act No. 2012-491) (the “Act”) is applicable to all contracts entered into with the Gadsden City Board of Education via a competitive bidding process.

Be advised that as a condition for the award of any contract that is competitively bid and awarded by the Gadsden City Board of Education to a business entity or employer that employs one or more employees, the Act requires that the business entity or employer shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama.

Be further advised that as a condition for the award of any contract that is competitively bid and awarded by the Gadsden City Board of Education to a business entity or employer that employs one or more employees within the State of Alabama, the Act requires that the business entity or employer shall provide documentation establishing that the business entity or employer is enrolled in the E-Verify program. During the performance of the contract, the business entity or employer shall participate in the E-Verify program and shall verify every employee that is required to be verified according to the applicable federal rules and regulations.

Information about "E-verify" can be found at web address: <https://e-verify.uscis.gov/enroll> and the program is operated by the United States Citizenship and Immigration Service Bureau of the United States Department of Homeland Security to verify information of employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603.

Be further advised that the Act requires that any subcontractor, on a project paid for by a contract that is competitively bid and awarded by the Gadsden City Board of Education, shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama and shall also enroll in the E-Verify program prior to performing any work on the project. During the performance of the contract, the subcontractor shall participate in the E-Verify program and shall verify every employee that is required to be verified according to the applicable federal rules and regulations. A business entity or employer who has been awarded a contract with the Gadsden City Board of Education through a competitive bidding process should maintain records of such compliance in case verification is required by the Gadsden City Board of Education or a law enforcement agency.

Failure to comply with these requirements may result in breach of contract, termination of the contract or subcontract, termination of employees, and possibly suspension or revocation of business licenses and permits in accordance with the Act, among other things.

All bidders must complete the following information and return this form with their bid information.

1. Are you a business entity or employer that employs one or more employees within the State of Alabama?

No

Yes, and I have enclosed documentation along with this form establishing that I am enrolled in the E-Verify program. If you answered “Yes,” then you must provide such documentation with this form. A copy of your E-Verify Memorandum of Understanding is acceptable documentation.

Return this form with bid submittal.

2. Pursuant to the Act and by operation of law, the following provision shall be incorporated into any contract that is awarded by the Gadsden City Board of Education as a result of this competitive bid process, regardless of whether or not the same is expressly set forth in the written documents relating to such contract:

By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ and unauthorized alien within the state of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

I represent and affirm that my response to #1 above is true and correct, that I fully agree and accept the statement in #2 above, and that the Gadsden City Board of Education may fully rely on the same. I also acknowledge that I have received notice of and reviewed all of the information contained in this document.

If Bidder is a Business Entity

Name of Bidding Party: _____

Signature: _____

Printed Name of Signatory: _____

_____ (Position)

If Bidder is an Individual

Name of Bidding Individual: _____

Signature: _____

Date: _____

Return this form with bid submittal.

NON-COLLUSIVE BIDDING CERTIFICATION

By submission of this bid, the bidder certifies that:

1. This bid has been independently arrived at without collusion with any other bidder or with any competitor.
2. This bid has not knowingly disclosed and will not be knowingly disclosed, prior the opening of bids to any other bidder, competitor or potential competitor.
3. No attempt has been or will be made to induce any other person, partnership, company or corporation to submit or not to submit a bid.
4. The person signing this bid certifies that he/she has fully informed himself/herself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the bidder as well as the person signing in its behalf.

COMPANY: _____

PRINT/TYPE NAME OF AUTHORIZED PERSON: _____

TITLE: _____

SIGNATURE: _____

(Officer of the Company)

Return this form with bid submittal.

Gadsden City Schools
1026 Chestnut St.
Gadsden, AL 35901

Bidder Response Form

BID# 2023.117

April 18, 2023

1:00 PM

Teaching Garden Program for Gadsden City Schools

This Bidder Response Form must be completed by the bidder, and delivered to Dr. David Asbury, no later than **May 2, 2023, at 1:00 P.M.** at Gadsden City Board of Education, 1026 Chestnut St., AL 35901. Bids and modifications received after the time set for the bid opening will not be considered

We propose to meet or exceed the above specifications in the following manner:

Component 1: Full Time Education at five elementary schools

Each school will receive:

- Garden educator to meet with all classes Kindergarten through 5th grade
- 3rd – 5th in the fall/ K-2nd in the spring
- Each student to experience 7 weeks of instruction on a bi-weekly basis during the year
- Classes will be 30-45 minutes in length
- Garden Lesson to include but not limited to: planting, harvesting, cooking, math and reading lessons aligned with the Alabama Course of Study. Service providers will individualize lessons based on needs determined by ACAP results
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- Invoices to be submitted and paid on a monthly basis

Component 3: Maintain the Community Garden

- Weekly maintenance and distribution of fruits and vegetables
- Educate neighbors, students, and families on growing and harvesting
- Provide a safe community space for the 12th Street area in Gadsden, AL
- **Maintain garden beds year-round. Service to end December 31, 2024**
- Stage two community events, one each semester at the Community Garden
- Prepare and distribute flyers advertising community events to each participating school and afterschool program.

Vendor _____

Outdoor Classroom/Teaching Garden Program: _____

Total Price: _____

Documents required to submit with sealed bid: Bidder Response Form, Authorized Signature Form-2 pages, Gadsden City Schools Immigration Form-2 pages and e-verify proof, and Non-Collusion.

Return this form with bid submittal.

If Bidder submits a bid based on a product with exceptions to any specification, the bid response must include additional cut sheet listing each exception to the specifications. Not that bids with excessive exceptions (especially when the item specified is available from the manufacturer or aftermarket and the dealership chose to leave it off to reduce the cost of its equipment) will not be accepted.

Documents required to submit with sealed bid: Bidder response Form, Authorized Signature Form-2 pages, Gadsden City Schools Immigration Form-2 pages and e-verify proof, Non-Collusion, and Debarment.

Each bid must give the full business address of the bidder and must be signed by him with his usual signature. Bids by partnerships must furnish the full names of all partners and must be signed with the partnership name by one of the members of the partnership, or by an authorized representative, followed by the signature and designation of the person signing. Bids by corporations must be signed with the legal name of the corporation followed by the name of the State of Incorporation and by the signature and designation of the president, secretary, or other person authorized to bind it in the matter. The name of each person shall also be typed or printed below the signature. A bid by a person who affixes to this signature the word “president,” “secretary,” “agent,” or other designation without disclosing his principal, may be held to be the bid of the individual signing. When requested by Gadsden City Schools, satisfactory evidence of the authority of the officer signing in behalf of the corporation shall be furnished.

The undersigned agrees to furnish the goods/services specified above for Gadsden City Schools in the invitation to bid, and certifies that it will meet or exceed the specifications called for. The undersigned has read all information pertaining to this bid and has resolved all questions. It is also understood and agreed that all prices quoted are F.O.B. described in the bid documents and specifications.

The undersigned also affirms he/she has not been in any agreement or collusion among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid at a fixed price or to refrain from bidding or otherwise.

Witness our hands and seals this _____ day of _____, 2022.

If Individual or Partnership

Name of Individual or Partnership

Name of Partner - Print

Name of Partner – Print

Print Name of Authorized Representative

Signature of Authorized Person

Address

Phone Number: _____

Fax Number: _____

Email Address: _____

Return this form with bid submittal.

If Corporation or LLC

Name of Corporation or LLC

State of Incorporation

Print Name of Authorized Representative

Signature of Authorized Person

Address

Phone Number: _____

Fax Number: _____

Email Address: _____