

Magna Main Street

Façade Improvement Grant

**Request for Applications
(contractors)**

Issue date: July 15, 2022



REGIONAL DEVELOPMENT

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RFA overview and instructions

Purpose of this RFA

The Salt Lake County Office of Regional Development’s Economic Development Division, on behalf of the Salt Lake County Regional Development Agency (the “RDA”), is soliciting applications from qualified firms (hereinafter “Applicants”) to provide façade restoration, remodeling, construction, and related services. Said services will be performed in accordance with the RDA’s Façade Improvement Grant Program, which is part of a larger economic development initiative in the Magna Main Street project area. The grant program targets buildings along Magna Main Street with the intent to deploy funds to improve selected facades. The RDA intends to establish a pool of up to three licensed general contractors from which awardees of façade grants can select a contractor to perform the specific services their individual projects require.

Application submission deadline

The deadline for submitting applications is **Monday, August 15, 2022 by 11:59 p.m.**; no applications will be accepted after the closing date and time.

Projected schedule for the RFA process

The RDA reserves the right to modify the following schedule at its discretion:

From	To	Duration	Description
Jul 15, 2022 (Fri)	Aug 15, 2022 (Mon)	32 days	Application period
Jul 22, 2022 (Fri)	Jul 22, 2022 (Fri)	1 days	Pre-application conference
Jul 29, 2022 (Fri)	Jul 29, 2022 (Fri)	1 days	Questions due
Aug 15, 2022 (Mon)	Aug 15, 2022 (Mon)	1 days	Application closes
Aug 15, 2022 (Mon)	Aug 22, 2022 (Mon)	8 days	Review period
Aug 22, 2022 (Mon)	Aug 31, 2022 (Wed)	10 days	Selection period
Sep 01, 2022 (Thu)	Sep 30, 2022 (Fri)	30 days	Award and contracting period
Oct 03, 2022 (Mon)	Project completion	x	Contract administration period

Pre-application conference

Firms interested in applying to this RFA are invited to attend a pre-application meeting to discuss the project and to ask questions about this RFA. The meeting will be held on **Friday, July 22, 2022 at 11:00 a.m.** via Webex. If you wish to attend this meeting, please select “Yes” on the question “Would you like to attend the pre-application conference?” in the online application and enter the email address where you would like to receive the instructions to access the Webex meeting.

Question submission process

We acknowledge this application is relatively thorough, but some Applicants may have questions or need explanations to submit the best application possible. If Applicants have any questions about the application, they should contact Adrian West via email at adwest@slco.org.

Scope of work and contractor requirements

Program background

The Façade Improvement Grant Program was created as part of a larger economic development strategy for the Magna Main Street project area. The program aims to make durable investments into the façades of selected buildings in the project area to improve the area’s aesthetic, attract private investment,

increase property values, and increase economic activity. The grant is funded by a \$500,000 total allocation from the RDA, of which \$150,000 has been reserved for projects in 2022. There is no limit on the total cost of a proposed project; however, the RDA's total contribution toward a single project is capped at \$50,000.

Minimum qualifications

Each Applicant must meet the following conditions to be considered eligible to apply for this RFA:

- Applicant must be licensed in the State of Utah as a B100 General Contractor.
- Applicant must have a current registration with the Utah Division of Corporations and Commercial Code.
- Applicant must be able to secure and maintain payment and performance bonds, each in the amount of one hundred percent (100%) of a project bid, which shall inure by their terms to the benefit of the owner of a property on which a project is undertaken. A successful Applicant may have many simultaneous open projects under the Façade Improvement Grant Program; Applicants must therefore be fully bondable for multiple simultaneous projects. Applicant must be able to maintain the required bond through project completion and the applicable one-year warranty period.
- Applicant must be able to secure and maintain, at its own cost, the following minimum insurance coverages:
 - Workers' compensation and employer's liability insurance as required by the State of Utah.
 - Commercial general liability insurance in the minimum amount of \$1,000,000 per occurrence with a \$2,000,000 general policy aggregate.
 - Commercial automobile liability insurance that provides coverage in the minimum amount of \$1,000,000 per occurrence.
- Applicant must be able to pay all taxes and fees and secure and pay for all permits, licenses, tests, and inspections necessary for proper execution and completion of a project.
- The scope of work will vary from project to project; however, in general, Applicants must be capable and willing to perform construction tasks in the following areas:
 - Awnings
 - Doors
 - Gutters & downspouts
 - Lighting
 - Exterior restoration
 - Painting
 - Railings
 - Removal of barriers to access for people with disabilities
 - Signage affixed to the building
 - Soffits & fascia
 - Trim
 - Tuck-pointing & brick work
 - Windows

The following qualifications are preferred:

- Façade restoration and repair work experience
- Historical restoration experience

Contracting process

Each successful Applicant will have the opportunity to enter into a written contract with the RDA, whereby the Applicant will pledge its willingness and availability to participate as a general contractor

in the Façade Improvement Grant Program at the rates set forth in its application. In exchange for this pledge, the RDA will designate the Applicant as an “Approved General Contractor,” making it eligible to perform construction work for eligible businesses in the Façade Grant Program. No financial consideration will be made as part of the contract between the RDA and a successful Applicant.

Please also note there is no guarantee that any contract will be awarded from this solicitation, nor is there a guarantee that any particular successful Applicant will be selected by an eligible business to perform a construction project.

Each eligible business will be supplied with a list of the Approved General Contractors. The eligible businesses will then be free to seek bids and choose any contractor from the list; however, any accepted bid must be approved by RDA prior to commencement of the work.

Upon RDA approval of the bid, the Approved General Contractor will enter into a separate construction contract with the eligible business (and any other property owner, if applicable) that outlines the specific terms and conditions for the project. This may include payments directly from the business or property owner of amounts in excess of the RDA’s contribution.

The RDA will not be a party to the construction contract between the Approved General Contractor and the eligible business. Instead, the RDA will make payments to the Approved General Contractor in accordance with the contract between the RDA and the business. That agreement will designate the Approved General Contractor as the payee of grant funding on behalf of the business. **Accordingly, and as part of Applicant’s application, it should recommend its preferred payment schedule via file upload** (how much to be paid upfront, at certain stages of the project, and upon satisfactory completion of the project).

Length of agreement

The contract resulting from this solicitation will become effective on the date of execution will be effective until **December 31, 2030**.

The RDA reserves the right to review the contract(s) regularly regarding performance and cost analysis and may negotiate price and service elements during the term of the contract. RDA reserves the right to cancel the contract between RDA and successful Applicant in the event an issue between the parties cannot be resolved.

Payment

As stated above, no financial consideration will be made as part of the contract between the RDA and a successful Applicant. However, a successful Applicant will be eligible to receive payment from the RDA in accordance with a written contract between the RDA and an eligible business, wherein the business may designate the successful Applicant as the payee of grant funding on behalf of the business.

Application format / submission requirements

All applications are to be submitted by completing [this online application form](#).

Application evaluation and scoring

Application scoring and selection

30% Experience

- The extent of Applicant’s experience with façade remodeling and restoration

- Applicant's experience and expertise restoring historic buildings
- Applicant's experience with brickwork and masonry
- Applicant's overall portfolio of completed work

30% Capacity

- Applicant's range of service able to be provided
- Applicant's network of subcontractors

30% Cost

- Applicant's pricing structure (to be provided by Applicant via the online form).

10% Timing

- Applicant's lag time between contracting projects and ability to start projects
- Applicant's estimated timeline to complete projects once started

Evaluation and scoring criteria

The application will be evaluated, scored, and ranked by a selection committee. Each member of the committee will be provided a score sheet to complete the application evaluation utilizing the point system listed below. Committee members will individually score the applications and rank them 1st, 2nd, 3rd, etc., according to their total weighted score.

The following point system is utilized to score applications

Excellent (5)

- If the application exceeds expectations, with an excellent probability of success in achieving all requirements of the RFA and is very detailed in providing innovative ideas, new concepts, or optional features applicable to the project, a score of (5) is given.

Good (4)

- If the application has a very good probability of success, achieves all requirements of the RFA reasonably, and provides some innovative ideas, new concepts, or optional features applicable to the project, a score of (4) is given.

Acceptable (3)

- If the application has a reasonable probability of success but falls short of some of the requirements, and lacks innovative ideas, new concepts, or optional features applicable to the project; a score of (3) is given.

Poor (1-2)

- If the application falls short of expectations and has a low probability of success; a score of (1-2) is given.

Unacceptable (0)

- If the applicant completely fails the requirements; a score of (0) is given.

Interview, demonstration, and site visit

The selection committee may invite Applicant for an interview, demonstration, or conduct a site visit for the purpose of clarification and verification of the submitted application. The selection committee may re-score the application after the interview, demonstration, or site visit.

Recommended award

After the selection committee has completed its evaluation process, it will then present a recommendation for award to the proper signing authority for authorization to negotiate a contract with the top-ranked applicants.

Debrief meetings

Debrief meetings with the selection committee members will not be allowed.

Written agreement required

Selected applicants must agree to all requirements in the RFA scope of work. Selected applicants must also be willing to enter into a written agreement with RDA; an Example Agreement can be found attached as Exhibit A.

If you wish to request alterations to the RFA, including any of the terms of the example RFA Agreement or any of the exhibits, attachments, or addenda, **the alterations must be specifically identified in your application with reasonable alternatives presented**. Any such exceptions must be submitted in a separate document/attachment in this RFA's submission form. Only those alterations so specified will be available for discussion or negotiation. Applicant understands that deviations from the Example Agreement are made at RDA's sole discretion.

Applicants are advised that RDA is not bound by the terms of this RFA until a written agreement is fully executed; any activity taken by Applicant before full execution of a written agreement is done at Applicant's sole risk.

Notice to applicants

By applying for this RFA, Applicant understands and agrees to the following:

(A) Government Records Access and Management Act (GRAMA)

Salt Lake County and the RDA are governmental entities subject to the Utah Government Records Access and Management Act ("GRAMA"), Utah Code Ann. §§ 63G-2-101 to -901. As a result, the County and the RDA are required to disclose certain information and materials to the public, upon request. Generally, any document submitted to the County or the RDA is considered a "public record" under GRAMA. Any person who provides to the County or to the RDA a record that the person believes merits protection under subsection 63G-2-305(1) or (2) must submit with their application both: (1) a written claim of business confidentiality and (2) a concise statement of reasons supporting the claim of business confidentiality. Generally, GRAMA only protects against the disclosure of trade secrets or commercial information that could reasonably be expected to result in unfair competitive injury. For your convenience, the County has provided a Business Confidentiality Request Form which is attached to this RFA as Exhibit B. **All documents submitted in response to this RFA will be treated as public records by GRAMA, unless a claim of business confidentiality has been properly made and approved by the County. All proposed costs/pricing/fees submitted to the County or the RDA are public records. An entire application cannot be identified as "PROTECTED," "CONFIDENTIAL," or "PROPRIETARY" and may be considered non-responsive if marked as such.**

(B) Copyrighted material waiver

If the application contains copyrighted or trademarked materials, by submitting its application Applicant grants RDA the right to use, reproduce, and publish the copyrighted or trademark materials in any manner RDA deems necessary for conducting RDA business and for allowing public access to the responses under GRAMA or otherwise, including but not limited to photocopying, RDA Intranet/Internet postings, broadcast faxing, and direct mailing.

If the application contains materials whose copyright or trademark is held by a third party, it is Applicant's sole responsibility to obtain permission from that third party for RDA to reproduce and publish the information.

By submitting its application, Applicant certifies that it owns, or it has obtained all necessary approvals for the reproduction or distribution of the contents of the application and agrees to indemnify, protect, save and hold County and the RDA, their representatives, and employees harmless from any claims arising from all intellectual property claims related or connected to the application and agrees to pay all legal fees incurred by County and the RDA in the defense of any such action.

(C) Restrictions on communications

From the issue date of this solicitation until an Applicant is selected and the selection is announced, Applicants are prohibited from communications regarding this procurement with agency staff, evaluation committee members, or other associated individuals EXCEPT the Buyer overseeing this procurement. Failure to comply with this requirement may result in disqualification.

(D) RFA cancellation

This RFA may be canceled at any time before the execution of a written agreement if deemed in the best interests of the County or the RDA. This includes cancellation of the RFA after an award has been made but before the execution of a written contract. The applicant is not entitled to recover any costs related to the preparation of the application due to cancellation of the RFA or withdrawal of an award before the execution of a written agreement.

(E) Firm pricing

All prices, quotes, or applications are to remain firm for 120 days after the closing date unless a different period is stated in the RFA. Any application that does not offer to remain firm for the required period may be considered non-responsive.

(F) Costs

Applicants bears all costs and expenses related to this RFA including, but not limited to, preparation and delivery of the application, attending the pre-application conference, and attending the interview.

(G) Licensing

All applicable federal, state, and local licenses must be acquired before the contract is entered into between RDA and the selected Applicant. Licenses must be maintained throughout the entire contract period. Persons doing business as an Individual, Association, Partnership, Corporation, or otherwise must be registered with the Utah State Division of Corporations and Commercial Code. NOTE: Forms and information on registration may be obtained by calling (801) 530-4849 or toll-free at 877-526-3994, or by accessing: www.commerce.utah.gov.

(H) Changes or modifications

Any changes or modifications to the RFA will be made by written addendum. Applicants submitting an application based on any information other than that contained in the RFA and any addenda, do so at their own risk.

(I) Receiving applications

Salt Lake County Division Contracts and Procurement administer receipt and opening of all applications. Applications will be held, unopened, by Contracts and Procurement in the same condition as received if delivered before the date and closing time designated in the RFA. After the closing time, only the identity of each Applicant will be made public. If only one application is received in response to the RFA, Contracts and Procurement, in coordination with the agency requesting the project, may recommend entering into a contract with the single Applicant if the conditions cited above are met. Alternatively, Contracts and Procurement may re-solicit to obtain additional applications.

(J) Modifying or withdrawing applications

Applicants may modify or withdraw their applications at any time before the closing time. Requests to modify an application before the closing time must be made in writing to Salt Lake County Division Contracts and Procurement.

(K) Rejection of applications

May application containing significant deviations from the specifications of the RFA will be considered non-responsive and may be rejected in whole or in part.

(L) Additional applications

The County reserves the right to allow submission of additional applications beyond the Application due date. With the exception of the date-certain timelines of this RFA, these additional applications shall be subject to the other requirements of the RFA and processed in the same manner and according to the same standards as all other applications submitted pursuant to this RFA.

(M) Protests

Under Salt Lake County Code of Ordinances § 3.25.080, a protest regarding the RFA document must be submitted in writing before the RFA closing date. All other protests must be submitted in writing within five (5) business days after notification of the award is posted on U3P. A protestor may file only one (1) protest after the RFA closing date. Protest letters must specifically and completely state the facts that the protestor believes constitute an error in the RFA document or the award.

(N) Free and competitive selection

Any agreement or collusion among prospective Applicants to fix a price or limit competition will render the application void, and such conduct is unlawful and subject to criminal sanction. By applying, Applicant hereby certifies that no one in its firm or company has either directly or indirectly restrained free and competitive selection, participated in any collusion, or otherwise taken any action unauthorized by County Purchasing Ordinances or applicable law.

(O) Ethical standards

Applicant represents that it has not: (a) provided an illegal gift to any RDA or County officer or employee, or former RDA or County officer or employee, or any relative or business entity of an RDA or County officer or employee, or relative or business entity of a former RDA or County officer or employee; (b) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees of bona fide commercial agencies established to secure business; (c) breached any of the ethical standards outlined in State statute or Salt Lake County Code of Ordinances § 2.07; or (d) knowingly influenced, and hereby promises that it will not knowingly influence, any RDA or County officer or employee or former RDA

or County officer or employee to breach any of the ethical standards outlined in State statute or Salt Lake County ordinances.

(P) Campaign contributions

The Salt Lake County campaign finance disclosure ordinance limits campaign contributions by Applicants to County candidates. Salt Lake County Code of Ordinances § 2.72A. Applicant acknowledges and understands those limitations on campaign contributions mean that any person, business, corporation, or other entity that enters into a contract or is engaged in a contract with County is prohibited from making campaign contributions over \$100 to County candidates during the term of the contract and during a single election cycle as defined in the ordinance. Applicant further acknowledges that violation of those provisions governing campaign contributions may result in criminal sanctions as well as the termination of this Agreement.

(Q) Reasonable accommodations

Reasonable accommodations for qualified individuals to attend meetings may be provided upon receipt of a request with two (2) working days' notice. Please contact Contracts and Procurement at 385.468.0300. TTY users may call 711.

(R) Environmentally responsible procurement practices

County has implemented environmentally responsible procurement practices. Please refer to Exhibit C.

(S) Notice to retirees of Utah Retirement Systems (“URS”)

The RDA is a URS “participating employer.” Agreeing with RDA may affect a URS retiree’s retirement benefits including, but not limited to, cancellation of the retiree’s “retirement allowance” due to “reemployment” with a “participating employer” under Utah Code Ann. § 49-11-504 to -505. In addition, Applicant is required to notify the RDA immediately if a retiree of URS is Applicant, or an owner, operator, or principal of Applicant. The applicant may refer the URS retiree to the URS Retirement Department at 801-366-7770 or 800-695-4877 for all questions about post-retirement employment regulations.

(T) Employee status verification system

The applicant shall register and participate in the Status Verification System before entering into a contract with the RDA as required by Utah Code Ann. § 63G-12-302. The Status Verification System is an electronic system operated by the federal government, through which an authorized official of a state agency or a political subdivision of the state may inquire by the exercise of authority delegated under 8 U.S.C. § 1373 to verify the citizenship or immigration status of an individual within the jurisdiction of the agency or political subdivision. The applicant is individually responsible for verifying the employment status of only new employees who work under Applicant’s supervision or direction and not those who work for another Applicant or subcontractor, except each Applicant or subcontractor who works under or for another Applicant shall certify to the main Applicant by affidavit that Applicant or subcontractor has verified, through the Status Verification System, the employment status of each new employee of the respective Applicant or subcontractor. The applicant shall comply in all respects with the provisions of Utah Code Ann. § 63G-12-302. Applicant’s failure to comply with this requirement may result in the immediate termination of its contract with the RDA.