

**FORM OF PROPOSAL****B7258 Exterior Lighting Retrofit****EXTENSION #1**

*Per the attached special instructions, terms & conditions*

*Quantities are not guaranteed*

*Bid request is for materials only, installation labor will be provided by  
others Please double click on the paper click icon to the right to  
complete the worksheet*

**Period of Contract**

December 31, 2016 *ti*

This contract is for the period July 1, 2015 through ~~June 30, 2016~~. The District reserves the option to renew the contract with the successful Provider for up to four additional years. The amount of the contract for the second through the fifth year shall be negotiated at the close of each preceding year. The renewal option may not be exercised if it is not in the District's best interest.

**Company Name** Electrical Engineering and Equipment Company (3E)

**Representative Name** Todd Tiernan LC, IES

**Representative Signature** Todd Tiernan

Digitally signed by Todd Tiernan  
DN: cn=Todd Tiernan, o=3E Company, ou=Lighting, email=todd.tiernan@3e-co.com, c=US  
Date: 2016.03.29 07:22:53 -0600

**Representative Title** Lighting Specialist

**Date** March 29, 2016

**Street Address** 953 73rd Street

**City/State/Zip** Windsor Heights, IA 50324

**Email** todd.tiernan@3e-co.com

**Phone** 515-273-0100

**Fax** 515-273-0101

**SUBJECT TO THE TERMS AND CONDITIONS @ <http://www.dmschools.org/wp-content/uploads/2015/08/General-Terms-n-Conditions-New.pdf>.  
THIS FORM AND EACH ADDITIONAL FORM OF PROPOSAL, IF ANY, MUST BE SIGNED.**

Des Moines Public Schools  
First Extension  
FY17

Fixture Type	Manufacturer/Model #	LED Source	Description	Purchase Quantity*	Unit of Measure	3E Pricing
F1	Cree XSPW-A-0-3-F-C U-Z	4,000K ≥70 CRI	XSPW Series wall-mounted luminaire. Fixture delivers approximately 3,800 lumens in a Type 3 Medium distribution. Integral 120-270V driver consuming approximately 42 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Integral wiring compartment/mounting bracket permitting conduit entry from top, bottom, side or rear. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	200	Each	\$ -
			Specified: Click box to right, if no complete below	Yes		
			Make:			
			Model:			
			FY15-16 Price		\$ 198.00	\$ 39,600.00
F1-Add	Cree XSPW-A-0-3-F-C U-Z-K	4,000K ≥70 CRI	XSPW Series wall-mounted luminaire. Fixture delivers approximately 3,800 lumens in a Type 3 Medium distribution. Integral 120-270V driver consuming approximately 42 watts at 100% output with programmable multi-level PIR motion sensor. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Integral wiring compartment/mounting bracket permitting conduit entry from top, bottom, side or rear. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	50	Each	\$ -
			Specified: Click box to right, if no complete below	Yes		
			Make:			
			Model:			
			FY15-16 Price		\$ 230.00	\$ 11,500.00
F2	Cree XSPW-A-0-2-F-C U-Z	4,000K ≥70 CRI	XSPW Series wall-mounted luminaire. Fixture delivers approximately 3,800 lumens in a Type 2 Medium distribution. Integral 120-270V driver consuming approximately 42 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Integral wiring compartment/mounting bracket permitting conduit entry from top, bottom, side or rear. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	50	Each	\$ -

Des Moines Public Schools  
First Extension  
FY17

Fixture Type	Manufacturer/Model #	LED Source	Description Specified: Click box to right, if no complete below	Purchase Quantity*	Unit of Measure	3E Pricing
			Make: Model:	Yes		
			FY15-16 Price		\$ 198.00	\$ 9,900.00
F2-Add	Cree XSPW-A-0-2-F-C- U-Z-K	4,000K ≥70 CRI	XSPW Series wall-mounted luminaire. Fixture delivers approximately 3,800 lumens in a Type 2 Medium distribution. Integral 120-270V driver consuming approximately 42 watts at 100% output with programmable multi-level PIR motion sensor. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Integral wiring compartment/mounting bracket permitting conduit entry from top, bottom, side or rear. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$ -
			Specified: Click box to right, if no complete below	Yes		
			Make: Model:			
			FY15-16 Price		\$ 230.00	\$ 4,600.00
F3	Cree SEC-EDG-2M- WM-06-E-UL-BZ 700-40K	4,000K ≥70 CRI	Edge Security wall-mounted luminaire. Fixture delivers approximately 10,800 lumens in a Type 2 Medium distribution. Integral 700 mA 120-270V driver consuming approximately 134 watts at 100% output. 100,000 hour ≥L70 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Integral wiring compartment/mounting bracket permitting conduit entry from top, bottom, side or rear. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$ -
			Specified: Click box to right, if no complete below	Yes		
			Make: Model:			
			FY15-16 Price		\$ 637.00	\$ 12,740.00

Des Moines Public Schools  
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Fixture Type	Manufacturer/Model #	LED Source	Description	Purchase Quantity*	Unit of Measure	3E Pricing
F4	Cree SEC-EDG-4M-WM-06-E-UL-BZ 700-40K	4,000K ≥70 CRI	Edge Security wall-mounted luminaire. Fixture delivers approximately 10,800 lumens in a Type 4 Medium distribution. Integral 700 mA 120-270V driver consuming approximately 134 watts at 100% output. 100,000 hour ≥L70 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Integral wiring compartment/mounting bracket permitting conduit entry from top, bottom, side or rear. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$ -
Specified: Click box to right, if no complete below				Yes		
Make:						
Model:						
FY15-16 Price					\$ 637.00	\$ 12,740.00
F4	Cree SEC-EDG-2M-WM-04-E-UL-BZ 700-40K	4,000K ≥70 CRI	Edge Security wall-mounted luminaire. Fixture delivers approximately 7,300 lumens in a Type 2 Medium distribution. Integral 700 mA 120-270V driver consuming approximately 93 watts at 100% output. 100,000 hour ≥L70 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Integral wiring compartment/mounting bracket permitting conduit entry from top, bottom, side or rear. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$ -
Specified: Click box to right, if no complete below				Yes		
Make:						
Model:						
FY15-16 Price					\$ 503.00	\$ 10,060.00

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Fixture Type	Manufacturer/Model #	LED Source	Description	Purchase Quantity*	Unit of Measure	3E Pricing
F4	Cree SEC-EDG-4M- WM-04-E-UL-BZ- 700-40K	4,000K ≥70 CRI	Edge Security wall-mounted luminaire. Fixture delivers approximately 7,300 lumens in a Type 4 Medium distribution. Integral 700 mA 120-270V driver consuming approximately 93 watts at 100% output. 100,000 hour ≥L70 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Integral wiring compartment/mounting bracket permitting conduit entry from top, bottom, side or rear. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$ -
			Specified: Click box to right, if no complete below	Yes		
			Make:			
			Model:			
			FY15-16 Price		\$ 503.00	\$ 10,060.00
F5	Cree CPY250-A-DM-F- C-UL-WH-40K	4,000K ≥70 CRI	LED Canopy/Soffit Luminaire. Fixture delivers approximately 4,400 lumens. Integral 120-270V driver consuming approximately 43 watts at 100% output. 100,000 hour ≥L90 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$ -
			Specified: Click box to right, if no complete below	Yes		
			Make:			
			Model:			
			FY15-16 Price		\$ 321.00	\$ 6,420.00
F6	Cree CPY250-A-DM-F- B-UL-WH-40K	4,000K ≥70 CRI	LED Canopy/Soffit Luminaire. Fixture delivers approximately 12,400 lumens. Integral 120-270V driver consuming approximately 122 watts at 100% output. 100,000 hour ≥L90 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	10	Each	\$ -
			Specified: Click box to right, if no complete below	Yes		
			Make:			
			Model:			
			FY15-16 Price		\$ 364.00	\$ 3,640.00

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Fixture Type	Manufacturer/Model #	LED Source	Description	Purchase Quantity*	Unit of Measure	3E Pricing
F7	Cree OSQ-A-NM- 2ME-A-40K-UL- BZ	4,000K ≥70 CRI	LED Area Luminaire. Fixture delivers approximately 10,000 lumens in a Type 2 Medium distribution. Integral 120-270V driver consuming 112 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$ -
Specified: Click box to right, if no complete below				Yes		
Make:						
Model:						
FY15-16 Price				\$	546.00	\$ 10,920.00
F8	Cree OSQ-A-NM- 3ME-A-40K-UL- BZ	4,000K ≥70 CRI	LED Area Luminaire. Fixture delivers approximately 10,700 lumens in a Type 3 Medium distribution. Integral 120-270V driver consuming 112 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$ -
Specified: Click box to right, if no complete below				Yes		
Make:						
Model:						
FY15-16 Price				\$	546.00	\$ 10,920.00
F9	Cree OSQ-A-NM- 4ME-A-40K-UL- BZ	4,000K ≥70 CRI	LED Area Luminaire. Fixture delivers approximately 10,600 lumens in a Type 4 Medium distribution. Integral 120-270V driver consuming 112 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$ -
Specified: Click box to right, if no complete below				Yes		
Make:						
Model:						
FY15-16 Price				\$	546.00	\$ 10,920.00

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Fixture Type	Manufacturer/Model #	LED Source	Description	Purchase Quantity*	Unit of Measure	3E Pricing	
F10	Cree OSQ-A-NM- SME-A-40K-UL- BZ	4,000K ≥70 CRI	LED Area Luminaire. Fixture delivers approximately 10,300 lumens in a Type 5 Medium distribution. Integral 120-270V driver consuming 112 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$	-
			Specified: Click box to right, if no complete below	Yes			
			Make:				
			Model:				
			FY15-16 Price			\$ 546.00	\$ 10,920.00
F11	Cree OSQ-A-NM- 2ME-J-40K-UL- BZ	4,000K ≥70 CRI	LED Area Luminaire. Fixture delivers approximately 16,300 lumens in a Type 2 Medium distribution. Integral 120-270V driver consuming 168 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$	-
			Specified: Click box to right, if no complete below	Yes			
			Make:				
			Model:				
			FY15-16 Price			\$ 653.00	\$ 13,060.00
F12	Cree OSQ-A-NM- 3ME-J-40K-UL- BZ	4,000K ≥70 CRI	LED Area Luminaire. Fixture delivers approximately 16,100 lumens in a Type 3 Medium distribution. Integral 120-270V driver consuming 168 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$	-
			Specified: Click box to right, if no complete below	Yes			
			Make:				
			Model:				
			FY15-16 Price			\$ 653.00	\$ 13,060.00

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Fixture Type	Manufacturer/ Model #	LED Source	Description	Purchase Quantity*	Unit of Measure	3E Pricing	
F13	Cree OSQ-A-NM- 4ME-J-40K-UL- BZ	4,000K ≥70 CRI	LED Area Luminaire. Fixture delivers approximately 16,000 lumens in a Type 4 Medium distribution. Integral 120-270V driver consuming 168 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated. Specified: Click box to right, if no complete below	20	Each	\$	-
			Make:	Yes			
			Model:				
			<b>FY15-16 Price</b>			\$ 653.00	\$ 13,060.00
F14	Cree OSQ-A-NM- 5ME-J-40K-UL- BZ	4,000K ≥70 CRI	LED Area Luminaire. Fixture delivers approximately 15,400 lumens in a Type 5 Medium distribution. Integral 120-270V driver consuming 168 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated. Specified: Click box to right, if no complete below	20	Each	\$	-
			Make:	Yes			
			Model:				
			<b>FY15-16 Price</b>			\$ 653.00	\$ 13,060.00
F15	Cree OSQ-A-NM- WSN-A-40K-UL- BZ	4,000K ≥70 CRI	LED Area Luminaire. Fixture delivers approximately 10,500 lumens in a Wide Sign distribution. Integral 120-270V driver consuming 112 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated. Specified: Click box to right, if no complete below	20	Each	\$	-
			Make:	Yes			
			Model:				
			<b>FY15-16 Price</b>			\$ 546.00	\$ 10,920.00



Des Moines Public Schools  
First Extension  
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Fixture Type	Manufacturer/Model #	LED Source	Description	Purchase Quantity*	Unit of Measure	3E Pricing	
F16	Cree OSQ-A-NIM- WSN-J-40K-UL- BZ	4,000K ≥70 CRI	LED Area Luminaire. Fixture delivers approximately 15,800 lumens in a Wide Sign distribution. Integral 120-270V driver consuming 168 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	20	Each	\$	-
			Specified: Click box to right, if no complete below	Yes			
			Make:				
			Model:				
			FY15-16 Price			\$ 653.00	\$ 13,060.00
F17	Cree FLD-OL-25-D8- 07-D-UL-SV-350- 40K	4,000K ≥70 CRI	LED Linear Luminaire. Fixtures delivers approximately 4,900 lumens in a 25-degree distribution. Integral 120-270V driver consuming 64 watts at 100% output. 100,000 hour ≥L80 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	10	Each	\$	-
			Specified: Click box to right, if no complete below	Yes			
			Make:				
			Model:				
			FY15-16 Price			\$ 1,317.00	\$ 13,170.00
F18	Cree ARE-EDR-25B- R4-08-E-UL-BZ- 525-40K	4,000K ≥70 CRI	LED Post Top Luminaire. Fixtures delivers approximately 9,600 lumens in a Type 2 Short distribution with backlight control. Integral 120-270V driver consuming 133 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated. Designed to fit 4-inch round pole.	10	Each	\$	-
			Specified: Click box to right, if no complete below	Yes			
			Make:				
			Model:				
			FY15-16 Price			\$ 1,059.00	\$ 10,590.00

Des Moines Public Schools  
First Extension  
FY17

Fixture Type	Manufacturer/Model #	LED Source	Description	Purchase Quantity*	Unit of Measure	3E Pricing
F19	Cree ARE-EDR-2S-R4-06-E-UL-BZ-525-40K	4,000K ≥70 CRI	LED Post Top Luminaire. Fixtures delivers approximately 9,400 lumens in a Type 2 Short distribution. Integral 120-270V driver consuming 101 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated. Designed to fit 4-inch round pole.	10	Each	\$ -
			Specified: Click box to right, if no complete below	Yes		
			Make:			
			Model:			
			<b>FY15-16 Price</b>			\$ 947.50 \$ 9,475.00
F20	Cree ARE-EDR-3MB-R4-10-E-UL-BZ-525-40K	4,000K ≥70 CRI	LED Post Top Luminaire. Fixtures delivers approximately 10,300 lumens in a Type 3 Medium distribution with backlight control. Integral 120-270V driver consuming 171 watts at 100% output. 100,000 hour ≥L75 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated. Designed to fit 4-inch round pole.	10	Each	\$ -
			Specified: Click box to right, if no complete below	Yes		
			Make:			
			Model:			
			<b>FY15-16 Price</b>			\$ 1,194.00 \$ 11,940.00
F21	Cree BXRAAA-A-A-5-3-U-D-7	4,000K ≥70 CRI	LED Retrofit Kit for Holophone Granville Acom-style fixture. Luminaire delivers approximately 5,300 lumens in a symmetric distribution. Integral 120-270V driver consuming 65 watts at 100% output. 100,000 hour ≥L63 lumen maintenance rating at 25°C. Power Factor (PF) ≥0.90 and Total Harmonic Distortion (THD) ≤20% at 100% output. Integral 10kV surge suppression. Design Light Consortium (DLC) listed. UL listed for wet locations and IP66 rated.	10	Each	\$ -
			Specified	Yes		
			Make:			
			Model:			
			<b>FY15-16 Price</b>			\$ 316.00 \$ 3,160.00



Des Moines Public Schools  
1915 Prospect Road Suite 1200  
Des Moines, Iowa 50310  
Phone: 515-242-7649  
Fax: 515-242-7550

March 9, 2016

Electrical Engineering & Equipment  
953 73<sup>rd</sup> Street  
Windsor Heights, IA. 50324  
Mr. Todd Tiernan

RE: B7258 Exterior Lighting Retrofit

Mr. Tiernan:

The Des Moines Public Schools is seeking to exercise its renewal option for the above mentioned bid. This will be the first extension (of a possible four extensions) of this option, with the contract period beginning July 1, 2016 and ending on June 30, 2017. Enclosed is a copy of the District's Form of Proposal, detailing the items which were on this bid, as well as the general terms and conditions associated with this bid.

December 31, 2016 *AT*

We ask all suppliers to review their pricing structures prior to submitting renewal proposals. The District will again consider any program that may reduce its costs through process improvement, ordering methodology, patterns, etc. Conversely, any planned increase may require the District to employ its option to place the product category out for bid solicitation.

The District appreciates your past service. We look forward to continuing our business relationship with you in the months and years to come. Please complete, sign, and return the following by March 29, 2016:

Proposal Form (included) for 2016-2017

Return these items to:

Des Moines Public Schools  
Division of Purchasing  
Attn: JoAnne Khounlo-Philavanh  
1915 Prospect Road, Suite 1200  
Des Moines, Iowa 50310

Sincerely

*JoAnne Khounlo-Philavanh*

JoAnne Khounlo-Philavanh  
Purchasing Specialist

**Non – Discrimination Policy:** It is the policy of the Des Moines Community School District not to illegally discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you believe you have been discriminated against or treated unjustly, please contact the Equity Coordinator, Isaiah McGee at 2323 Grand Avenue, Des Moines, IA 50312, 515-242-7662 [Isaiah.mcgee@dmschools.org](mailto:Isaiah.mcgee@dmschools.org) Section 504 34 CFR 104.8, Title IX 34 CFR 106.9, OCR Guidelines IV.O and V.C.

**Debarment Policy:** The District is prohibited from entering into a contract where an organization or, its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal, State or Local department or agency.

**Payment Policy:** The District plans to pay Awardee (s) using a procurement or virtual credit card, or may make payments by electronic funds transfer and recommends that Contractors accept one of these forms of payment.

**Acknowledgement & Certification:** Awardee(s) must agree to complete and sign the Acknowledgement & Certification regarding their staff's ability to be in contact with the student population.



## FORM OF PROPOSAL

## B7258 Exterior Lighting Retrofit

## EXTENSION #1

Instructions, Specifications, Special Terms, Conditions

### Lighting Specifications

- Newly manufactured products are required, remanufactured or recycled products will not be considered.
- All proposed products shall meet, at a minimum, the following criteria:
- Design Light Consortium (DLC) listed for consideration of MidAmerican Energy (MAE) commercial energy rebates.
- ENERGY STAR® certified, or meets the minimum mandated requirements for certified under the ENERGY STAR® Solid-State Lighting (SSL) Luminaire program.
- UL or ETL listed for exterior use.
- Minimum manufacturer's warranty period: Ten (10) years, unless otherwise specified by the Owner.
- Warranty shall cover: light emitting diodes (LEDs); LED drivers; housing construction; and finish.
- Providers shall declare the manufacturer's warranted period for all proposed fixtures not covered by a 10-year warranty.
- Eligible for manufacturer's warranty in the event that more than 10-percent (%) of LEDs cease operation.
- Integral control hardware, on equipped fixtures, shall have a minimum manufacturer's warranty period of five (5) years.
- Input Voltage: 120-270 Volt (V).
- Providers shall note if a specific fixture type is not designed for multi-voltage application and the voltage rating(s) available for said fixtures.
- Lumen Maintenance Factor (LMF):  $\geq 0.77$  at 100,000 hours (25°C), unless otherwise specified
- Correlated Color Temperature (CCT): 4,000K ( $\pm 350$ K)
- Color Rendering Index (CRI):  $\geq 70$  CRI, unless otherwise specified by the Owner.
- Integral Surge Suppression:  $\geq 10$  kV
- Power Factor (PF):  $> 0.9$  at full load
- Total Harmonic Distortion (THD):  $< 20\%$  at full load
- Fixture housing designs shall rely on passive cooling, will allow for hose-down cleaning and discourage debris accumulation and heat entrapment.
- Wall-mounted fixtures shall be designed with integral wiring compartment/mounting bracket that permits conduit entry from top, bottom, sides or back. Proposed fixtures not so equipped shall be noted and pricing shall include manufacturer's accessory back box to permit top, bottom, side or rear conduit entry.
- Fixtures shall all have bronze or dark bronze exterior finish, unless otherwise specified by Owner.
- Owner will coordinate identification of required mounting hardware for pole and building-mounted flood and area fixtures with successful Provider, at time of fixture order.

### Conflicts between terms

The District reserves the right to accept or reject any exceptions taken by the Provider to the terms and conditions of the renewal. The renewal shall be construed in accordance with the policies and procedures of the District. When conflicts between the District's general terms and condition and those detailed here, then those detailed in this document shall prevail. When differences exist between statutes and regulations affecting this procurement, interpretation shall be in favor of the best interest of the District. Any action relating to the resulting award shall only be commenced in Polk County, Iowa District Court or the United States District Court for the Southern District of Iowa.

**Pricing**

Provider pricing shall be FOB (freight cost included in the price of the fixtures) Des Moines, IA., and shall be firm through the contract period. This contract will be renewed at the conclusion of the fiscal year and prior to beginning of new fiscal year if mutually agreed upon and if the renewal is in the best interest of the District. The submitted price for the fixtures shall be the total cost to the District no other costs will be accepted. Do not include sales tax in the price quotation; the District is exempt from paying sales tax.

**Employee Practices**

In the event the Provider is required to be present on district property then: The Provider and his subcontractors shall at all times enforce strict discipline and good order among his employees, and shall not employ on the work any person considered by the Facility Manager to be unfit or not skilled in the work assigned. The Provider shall also keep its employees and those of its subcontractor from socializing upon the site of the work after normal work hours and from fraternizing at any time with staff, students, parents, and other persons who are at the school or the site of the work. No Provider shall allow any of its employees listed on the Iowa Sex Offender Registry to perform work on District projects. The District has interpreted an "unfit employee" for purposes of this contract to be any employee currently listed on the Iowa Sex Offender Registry. Provider must complete and submit "Sexual Offenders Acknowledgment Form" with their proposal. Employee background checks are the responsibility of the Provider and his subcontractors. The Des Moines Independent Community School District is a drug-free and smoke-free zone. In furtherance of this standard, the Provider shall establish and maintain a safe and efficient work environment for all employees, free from the effects of smoke, alcohol, controlled substances, and illicit drugs. Smoking shall be prohibited at all times on school property, including parking lots and inside of any private vehicles on school property. The manufacture, distribution, dispensing, possession, or use of alcohol, controlled substances, and illicit drugs is prohibited on or adjacent to the project site and all of the District's property at all times. Illicit drug use is the use of illegal drugs and the abuse of alcohol and other drugs, including anabolic steroids. Controlled substances are drugs specifically identified and regulated under state or federal law and include, but are not limited to, opiates, narcotics, cocaine, amphetamines and other stimulants, depressants, hallucinogenic substances, and marijuana. The Provider will strictly enforce these prohibitions among its own employees and its subcontractors and their employees at all times.

Employees who violate these prohibitions will be subject to disciplinary action by their employers up to and including termination and may be denied access to the site of the work. Violation of this provision shall also constitute sufficient grounds for termination of the Contract or any subcontract without damages or penalty to the District.

Because it is the desire of the Des Moines Independent Community School District to encourage equal employment policies, all Providers, including suppliers supplying goods or services to the School District, are expected to comply with the spirit of equal opportunity employment, as well as with the letter of all applicable statutes and regulations. Compliance shall require Provider not to discriminate and, in addition, to take reasonable affirmative action to ensure that members of minority groups are effectively accorded equal employment opportunities.

The Provider shall be responsible to the District for the acts and omissions of all its employees. The Provider shall further be responsible for the acts and omissions of all subcontractors, their agents and employees, and all other persons acting on behalf of the Provider or subcontractors as set forth herein. The employees of the Provider or Subcontractor will be the responsibility of the contracting awardee and shall not be considered employees of the District in any manner.



**Ordering**

All products shall be ordered on an as needed basis. The District shall not be required to make any minimum or maximum total purchases under the resulting award, however the District intends to purchase on a quarterly basis to improve pricing and delivery costs. Providers are encouraged to offer a discount schedule for larger orders which meet a specific minimum quantity and / or a higher dollar amount per order, however. Substitutions shall not be shipped with prior authorization from DMPS Facility Management. Backorders shall not be made unless approved by Facility Management.

**Delivery**

Delivery shall be required within forty (40) working days or less after receipt of an authorized District purchase order. All orders are to be shipped F.O.B destination. The proposed discount must be such that freight charges are included in the award pricing. The District makes no guarantee as to the quantity required, quantities listed are provided to give Providers an indication of anticipated demand.

**Payment Terms**

Prepayment shall not be made for any product or service requested herein. Payment is normally processed 45 days after receipt of invoice. Invoices must be itemized, reference the Districts purchase order number and be submitted to Facility Management as detailed on the purchase order. The District reserves the right to pay for all products delivered using a procurement card (PCard).

**Cancellation**

The District reserves the right to cancel any award with a thirty day (30) written notice.

**Assignments**

Any purchase order resulting from this proposal shall not be assigned or transferred by either party without the prior written consent of the other party.

**Public Inspection**

The laws of the District require that at the conclusion of the selection process, the contents of all bids shall be placed in the public domain and be open to inspection by interested parties.

**Disposition of Bids**

All bids become the property of the District and will not be returned to the Provider.



### Acknowledgement & Certification

Electrical Engineering & Equipment (Company) is providing services to the Des Moines Independent Community School District ("District") as a contractor, vendor, supplier, provider or sub-provider and/or is operating or managing the operations of a contractor, vendor, supplier or provider. The services provided by the Company may involve the presence of the Company's employees upon the real property of the District.

The Company acknowledges that Iowa law prohibits a sex offender who has been convicted of a sex offense against a minor from being present upon the real property of the District. The Company further acknowledges that, pursuant to Iowa law, a sex offender who has been convicted of a sex offense against a minor shall not operate, manage, be employed by, or act as a contractor or volunteer at the District.

The Company hereby certifies that no one who is an owner, operator or manager of the Company has been convicted of a sex offense against a minor. The Company further certifies and agrees that it shall not permit any person who is a sex offender convicted of a sex offense against a minor to provide any services to the District in accordance with the prohibitions set forth above.

The Company further certifies that the Company has completed a satisfactory background check on the Company's employees. The Company hereby agrees to provide the District with the Company's background screening procedures including specific context and infractions that are reviewed by the Company. The District reserves the right to, but does not have the obligation to, conduct a District background check on Company employees as determined by the District in its sole discretion. The District reserves the right to restrict access of any Company employee upon the real property of the District if such employee does not clear the District's background check.

The District reserves the right, but does not have the obligation to, to audit the Company's background screening program at any time, whether announced or unannounced. The Company hereby agrees that the Company shall, upon request, permit an authorized District representative to review background screening records, including those of individual Company employees, in order to conduct a compliance review, audit or investigation, to the fullest extent permitted by law.

The Company shall ensure that the provisions of this Acknowledgement and Certification are extended to any and all subcontractors, consultants, or others the Company may engage if such engagement involves their presence upon the real property of the District.

The Company understands and agrees that violation of any of the provisions of this Acknowledgement and Certification shall constitute sufficient grounds for termination of any contract or subcontract without damages or penalty to the District.

This Acknowledgement and Certification is to be construed under the laws of the State of Iowa. If any portion hereof is held invalid, the balance of the document shall, notwithstanding, continue in full legal force and effect.

In signing this Acknowledgement and Certification, the person signing on behalf of the Company hereby acknowledges that he/she has read this entire document that he/she understands its terms, and that he/she not only has the authority to sign the document on behalf of the Company, but has signed it knowingly and voluntarily.

A handwritten signature in black ink, appearing to be a stylized representation of the letters "B" and "Z" followed by a flourish.