

REQUEST FOR BIDS

FOR

PARK & PLAYGROUND IMPROVEMENTS



Response Deadline

August 3, 2017

12:00 PM Central Standard Time (CST)

**To: Nora Dinsmore
Brushy Creek MUD
16318 Great Oaks Drive
Round Rock, TX 78681**

BRUSHY CREEK MUNICIPAL UTILITY DISTRICT
REQUEST FOR BIDS FOR PARK AND PLAYGROUND IMPROVEMENTS

1. INTRODUCTION

Brushy Creek Municipal Utility District (the “District”) is accepting bids from qualified vendors to provide playground equipment, shade structure and installation services for the Parks and Playground Improvements located within the District.

2. CONDITIONS QUALIFYING CONTRACTORS

2.1 Qualifications of Contractor

Proposals will only be accepted from contractors who are actively engaged in offering the service called for in this request.

Where a service is to be performed by a subcontractor, the proposer must name the subcontractor, and the District reserves the right to determine whether the named subcontractor is fit and capable to perform the required work.

Each proposer shall submit, with the proposal, supporting data regarding the qualifications of the contractor in order to determine whether the contractor is qualified and responsible. The contractor must furnish the following information:

- a. Satisfactory evidence that the contractor, or in the case of a joint venture, the principal partner, has been in existence as a going concern with experience performing work similar to the proposed project; and
- b. Evidence that the contractor is licensed or permitted to do business in the State of Texas, County of Williamson.

The successful bidder will be expected to execute the District’s standard agreement (included in these bid documents) and meet all other qualifications as described in these bid documents. Contractors and subcontractors shall pay laborers, workmen, and mechanics the prevailing wage rate as determined by the District.

2.2 Observance of Laws

The contractor at all times shall observe and comply with all Federal, State, County and local laws, bylaws, ordinances and regulations, including traffic laws in any manner affecting the conduct of the work.

2.3 Performance

In case of default by the selected contractor, the District may procure services from other sources and shall hold the contractor responsible for any costs to the District to procure the services of a new contractor and for the costs to the District for providing the services in the interim period between the default and the procurement of a new contractor.

2.4 Equal Employment Opportunity

The contractor agrees to comply with all federal, state, and local laws, resolutions, ordinances, rules, regulations, and executive orders pertaining to unlawful discrimination on account of race, color, creed, religion, political affiliation, national origin, sex, marital status, status with regard to public assistance, disability, age, arrest or conviction record, or military status. When required by law or requested by the District, the contractor shall furnish a written affirmative action plan.

2.5 Insurance Information

The selected contractor shall at all times during the term of the contract maintain in full force and effect the insurance coverage of the types and amounts set forth in the signed contract. The selected contractor will furnish evidence satisfactory to the District to the effect that such insurance has been procured and is in force, and the certificates shall name the District as an additional insured.

2.6 Bid Bond; Performance Bond and Payment Bond

A bid bond or certified cashier's check must accompany each bid in the amount of 5% of the total bid amount, payable without recourse to Brushy Creek MUD or in the form of a bid bond from a surety company authorized to conduct business in the State of Texas. The successful bidder will be required to provide a performance bond and a payment bond, as provided for in the bid documents, for the full amount of the contract.

The performance bond and payment bond must be executed in a form acceptable to the District at the time of contracting.

2.7 Agreement – Exhibit A.

3. PROCEDURAL INSTRUCTIONS

3.1 Intent

This procurement is intended to result in the selection of a contractor that is most advantageous to the District, and that will result in the best and most economical playground equipment and installation of equipment.

3.2 Items to be Provided with Bid Submittals:

All Bids must include the following items:

1. Pricing-Vendor shall specify the pricing for the playground equipment and installation of the equipment according to attached bid proposal and Unit Price Lists with equipment and separate labor costs.
2. Photos or Rendering-Vendor shall submit photographs or renderings of proposed playground equipment and border materials, and shade structure and materials.
3. Work Plan/Timeline-Vendor shall submit a project work plan and timeline outlining the project plans and the timeline of each step; including target completion date.
4. Questionnaire and Information Form – Exhibit B
5. Experience-Vendor must identify how long they have been in business, company owner information, and how long they have been installing the type of proposed equipment.
6. Insurance-As an independent contractor, Contractor acknowledges that it is solely responsible for providing its own insurance coverage, meeting the minimum requirements set forth in the Contract to be executed by Owner and Contractor.
7. References-Contractor must identify three references, including the name, title, and daytime telephone number of the references. Contractor must also provide at least two examples of similar work to that which is requested that the Contractor is currently performing or has performed within the past three (3) years.
8. IPEMA– 3rd party certification for playground standards (Certification must be in writing.)
9. Warranty– Vendor shall specify the manufacturer's warranty information on the equipment. Any such warranty shall be in addition to the warranty set forth in the Contract executed by the parties.
10. Conflict of Interest Statement–Vendor shall submit their responses to the Conflict of Interest Statement in Section 5.0.
11. Bid Instructions Acknowledgement Form – must be signed and returned with the submittal.

12. Bid Bond is due with the bid submittal.

13. Exhibit List

Exhibit A	Agreement
Exhibit B	Questionnaire and Information Form
Exhibit C	Irrigation Specifications
Exhibit D	Landscape Unit Price List
Exhibit E	Proposal

3.3 Questions

Questions regarding the procurement process or the Playground equipment and installation of equipment sought by the District **must be in writing via e-mail** to no later than **12:00PM (CST) July 26, 2017**. The subject line shall read: ***“Questions for Park & Playground Improvements”***.

3.4 Timeline –

Bid Advertisement date:
July 15th & 20th 2017

Procurement package distributed to Vendors:
July 12, 2017

Non-Mandatory Site Visit:
Wed’s, July 19th at 9:30am
Vendors will meet at:
Brushy Creek MUD
16318 Great Oaks Drive
Round Rock, TX 78681

Questions Due from Vendors:
12:00pm Wed’s July 26th

Pricing Proposals Due from Vendors
12:00pm Thursday, August 3rd

Staff recommendation to Board of Directors:
Thursday, August 24th

Estimated Implementation & Completion Date:
Sept 2017 – Jan 2018

3.5 Contractor Proposals

Bids must conform to the requirements set forth herein. Bids and required information must be submitted to the attention of:

Nora Dinsmore
Administrative Services Specialist
Brushy Creek Municipal Utility District
16318 Great Oaks Drive
Round Rock, TX 78681

by **12:00 PM (CST) on Thursday, August 3, 2017**. Any Proposals received after the above date and time will not be considered.

All costs associated with the preparation and submissions of Bids are the sole responsibility of the Contractor. All Bids shall be signed and dated by an official authorized to bind the Contractor in legal matters. All submitted Bids become the property of the District.

3.6 Selection Process

All Bids will be evaluated by District staff. Its recommendations will be submitted to the Board of Directors for consideration at a regularly scheduled meeting following the Bid submission deadline.

The criteria that will be used to make the selection include the following, not necessarily in the order listed:

- (a) Cost
- (b) Proposed Equipment
- (c) Must meet 3rd party IPEMA Certification for Playground Standards (in writing)
- (d) Qualifications
- (e) References

If the District has experience with your firm and you do not list the District as a reference, the District reserves the right to use past experience for evaluation of the Bid.

3.7 Confidential Information

The District is subject to the Texas Public Information Act. Any information submitted to the District by an Offeror shall be available to the public, unless it is clearly marked "CONFIDENTIAL." If another party requests access to information marked confidential, then the District shall ask the Offeror if the information may be released. If the release is agreed to, the District shall release the information. If the release is denied, the matter shall be referred to the Texas Attorney General's Office where the Offeror shall be responsible for substantiating its confidentiality. The Attorney General's office shall rule on the matter. Pricing information contained in proposals or contracts is not considered confidential under the PIA and will be disclosed without making a request to the Texas Attorney General.

4. SCOPE OF SERVICES

4.1 General

The District's Board of Directors has approved Staff's project concept plan, work plan and a playground concept for the Park & Playground Improvements. Staff is seeking Bids from qualified contractors to provide the specified equipment and installation of the equipment. The contractor is to provide all labor, equipment and process machinery required for the proper installation of the playground equipment as listed in accordance with the specifications.

Contractor is to follow the Texas Government Code Section 2258.021 providing that any worker employed by or on behalf of a political subdivision of the State of Texas shall be paid not less than “the general prevailing rate of per diem wages for work of a similar character in the locality in which the work is performed.”

4.1.A Park 1 – Highland Horizon

The playground area will be updated to include a new cantilever shade canopy over the existing play structure. A new swing area will be constructed adjacent to the current basketball court. This will include a drainage system, engineered wood fiber fall surfacing, concrete playground border, and ADA ramp. Sidewalks shall be added to connect the swing area with existing walkways. Limestone blocks, Planting and Irrigation will be added to enhance the area between the road and swing area. New irrigation shall tie into existing system as applicable and conform to local ordinances and TCEQ Regulations.

4.1.B Park 2 – Sendero Springs Section 7

The current empty open space lot shall be improved to contain a 5-12 playground and swing structure with drainage systems, engineered wood fiber, concrete playground borders and ADA ramps. Sidewalks shall be constructed to connect the elements, including a bike racks and seating. Limestone blocks, Planting and Irrigation will be added to enhance the area between the road and park improvements. New irrigation system shall conform to local ordinances and TCEQ Regulations.

4.1.C Park 3 – Pepper Rock

The current Pepper Rock playground areas and sidewalks will be demolished. New 2-5 and 5-12 playground components shall be installed, including drainage systems, engineered wood fiber, concrete playground borders and ADA ramps. New concrete sidewalks, concrete slabs, concrete fence, masonry columns, drinking fountain and waste receptacles shall be installed. Hydro mulch shall be used to revegetate all disturbed areas. Irrigation system shall be modified as needed to conform to local ordinances and TCEQ Regulations.

4.1.D Regulations

The structures should all conform to ADA/TAS standards and the play structures and surfacing should conform to the following ASTM standards for playground safety and have third party verification of this conformance through IPEMA. An on-site TAS inspection shall be required after construction completion and prior to final acceptance for each park. Any outstanding accessibility issues found during the inspection must be brought into compliance prior to project final acceptance by the owner.

ASTM F1487-11 Standard Consumer Safety Performance Specification for Playground Equipment for Public Use ASTM F1292 -13 Standard Specification for Impact Attenuation of Surfacing Materials within the Use Zone of Playground Equipment ASTM F2075 – 10a Standard Specification for Engineered Wood Fiber for Use as a Playground Safety Surface Under and Around Playground Equipment ASTM F1951 -14 Standard Specification for Determination of Accessibility of Surface Systems Under and Around Playground Equipment ASTM F2223 – 10 Standard Guide for ASTM Standards on Playground Surfacing

4.2 Location of Parks

Highland Horizon, 416 Highland Horizon, Austin, TX 78717
Sendero Springs, 424 Cascada Lane, Round Rock, TX 78681
Pepper Rock, 8609 Pepper Rock Park, Austin, TX 78717

A location map for each park is included on the cover sheet of the corresponding bid set.

4.3 Specifications

Each bid set includes the specifications regarding the playground components, composite structures and border

materials required, the playground curb specifications, and the Playground Safety Surface System specifications, along with 3D renderings of the playground features for the parks.

Contractors shall be responsible for providing the equipment and installation that meets or exceeds all of the requirements as set forth in the specifications.

Prior to the contractor beginning the project, the District may remove some parts of the existing playground equipment at Pepper Rock Park for re-use, however, the Contractor needs to anticipate the dismantling. Contractor is required to remove the existing plastic edging and pea gravel and replace with concrete edging and engineered wood fiber. The pea gravel and plastic edging will be salvaged by the District. The District requires Contractor to stockpile the pea gravel and haul to the Maintenance Yard along with the plastic edging. The District Maintenance yard is located at 3800 Oak Ridge Drive, Round Rock, TX 78681. Vendor shall be responsible for any damage to any equipment or park elements that are to remain undisturbed.

Vendor must submit a safety plan for the removal and/or temporary storage of the existing materials and playground equipment and the installation of the new and/or stored materials and equipment, as specified in the plans.

5.0 CONFLICT OF INTEREST

The Board of Directors of Brushy Creek Municipal Utility District (the “District”), in compliance with Section 49.199 of the Texas Water Code, has adopted a Code of Ethics Policy. In accordance with this policy, please disclose the following information:

1 Whether or not any of the Board of Directors or Management Staff listed below has a substantial interest in the Contractor or its affiliates.

2 Whether or not any of the Board of Directors or Management Staff listed below has a direct or indirect contractual relationship with the Offeror or its affiliates.

Furthermore, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. Contractor must furnish an executed Form 1295 as a condition of award of a contract by the District.

2017

Rebecca Tullos, Treasurer
Kim Filiatrault, Secretary
Shean Dalton, President
Donna Parker, Vice President
Michael Tucker, Assistant Secretary/Treasurer

District Staff

Mike Petter, General Manager
Jim Lamm, Chief Administrative Officer
Rachel Hagan, Parks & Facilities Maintenance Coordinator
Mike Hemker, Parks & Recreation Manager
Nora Dinsmore, Administrative Services Specialist