

REQUEST FOR PROPOSALS FOR THE DESIGN AND PURCHASE OF PLAYGROUND EQUIPMENT

**Hamilton, MA 09182
Essex County
Massachusetts**

RFP Issued: February 1 , 2013

Proposals Due: February 19, 2013

Hamilton Town Hall
577 Bay Road
Hamilton, MA 01982

REQUEST FOR PROPOSALS (RFP)

Section I. General Information

The Town of Hamilton (hereinafter known as “the Town”) is seeking proposals for the design and purchase of age appropriate (ages 2-5 and 5-12) playground equipment, at Patton Park Playground, a town owned recreational area located off of Bay Road (1A) in Hamilton.

1. Process

The Town will award this contract to the Proposer offering the most advantageous proposal, taking into consideration all evaluation criteria as well as price.

This RFP is issued in compliance with Chapter 30B of the Massachusetts General Laws. The first step requires all proponents to submit proposals responsive to this RFP. An Evaluation Committee consisting of employees of the Town of Hamilton, the Hamilton-Wenham-Recreation Commission, and members of the Friends of Patton Park fundraising group will evaluate and rank the proposals based on the evaluation criteria outlined in section III.

Once a proposal has been selected, contract negotiations will begin between the appropriate parties.

An award of contract is expected to be made by February 22nd.

2. RFP Documents

One (1) original and five (5) copies of proposals should be mailed or hand-delivered so as to be received by February 19th

**Town Clerks Office
C/O Sean Timmons
Hamilton Town Hall
577 Bay Road
Hamilton, MA 01982**

3. RFP Organization/Submittal

All proposals must be submitted before the final closing date and time as shown on this RFP. Proposals received after the time specified will not be considered.

Proposals are to be received in sealed envelopes with the name of the Proposer, Project Name, and closing date plainly stated on the face of the envelope. Each envelope should be clearly marked. All costs associated with responding to this RFP will be at the proposer’s expense. Proposals must be delivered by 4:00pm on Tuesday February, 19th.

Proposals shall be straightforward, providing a concise description of the Proposer’s ability to meet the requirements of this RFP. Emphasis should be on completeness and clarity of content. Failure to provide required data to allow for evaluation of a Proposal may be grounds for rejecting it.

4. Insurance

1. General Liability - Proposers shall provide documentation of general liability insurance in the amount of at least \$1,000,000 bodily injury and property damage liability, combined single limit with a \$3,000,000
2. Automobile Liability – Proposers shall provide documentation of at least \$1,000,000 bodily injury and property damage per incident.
3. Workers' Compensation Insurance- as required by the Commonwealth of Massachusetts
4. Professional Liability – Proposers shall provide documentation of at least \$1,000,000 per occurrence and \$3,000,000 aggregate.
5. Umbrella Liability – Proposers shall provide documentation of at least \$2,000,000 per occurrence and \$2,000,000 aggregate.

If selected the Proposer must provide that the Town is named as an additional insured on all policies and provide proof of same.

5. Additional Documents

The Proposal must include a Certificate of Non-Collusion as well as a statement of State Tax Compliance on the Proposer's stationary

6. Terms and Conditions

Terms and conditions below will govern submission and evaluation of proposals and the award. Proposers are requested to carefully review the following:

- 6.1 Award Status: An acceptance of any proposal will be issued by the Town of Hamilton in accordance with the following paragraphs of this section, and constitutes a legal and binding contract, even though it is anticipated that a formal contract will thereafter be executed.
- 6.2 Contract Format/Requirements: The resulting Town acceptance will incorporate this Request for Proposal. All additional agreement(s) and stipulations and the results of any final negotiations will be incorporated. The only valid conditions of the contract are the ones contained within this specification and proposal.
- 6.3 Contract Modifications: All modifications and/or changes to the contract must be agreed to in writing by both parties and approved by the Town prior to executing any change.
- 6.4 Contract Termination: The Town may terminate any resulting contract for cause by providing a Show Cause Letter to the contractor, citing the instances of non-compliance with the contract:
 - 6.4.1 If the non-compliance is not cured within 30 days, the Town may terminate the contract
 - 6.4.2 The Town reserves the right to terminate the contract for convenience by providing 60 days written notice to the contractor.

6.4.3 Liens: The successful contractor shall keep the City free and clear from all liens asserted by any person or firm for any reason arising out of the furnishing of services or materials by or to the contractor.

6.4.4 Indemnification: The successful contractor shall indemnify and hold the City harmless from all claims and related expenses arising out of the contractor's performance or failure of performance under the resulting contract.

6.5 Disclosure of Proposal Content: All proposals become a matter of public record once opened. By submitting a proposal, a Proposer specifically assumes any and all risks and liabilities associated with the information contained in the proposal and the release of that information.

7.1 Town of Hamilton Rights:

7.1.1 The Town of Hamilton reserves the right to determine whether a Proposal is responsive and whether the Proposer has the ability and resources to perform the contract in full and comply with all specifications.

7.1.2 The Town reserves the right to reject Proposals, which incorporates Counter- proposals and conditions in the form of vendors pre-printed clauses.

7.1.3 The Town reserves the right to accept or reject all or part of any proposal, waive informalities, minor irregularities, or substitute items, as desired, if deemed in the best interest of the Town, therefore selecting the optimum proposal or issue a new RFP.

7.1.4 The Town reserves the right to reject proposals when procedures stated within are not followed.

7.2 Effective Period: Proposals submitted shall remain in effect for a period of 30 days after the opening date. An award will be signed and issued within that time or negotiated for a later date.

7.3 Withdrawal of Proposals: Proposals may be withdrawn at any time prior to the opening date in writing.

7.4 Changes: It shall be the Proposer's responsibility to bring to the attention of the Town any discrepancies in, omissions from, or errors in the RFP, or enhancements which would be in the best interest of the Town, or if they are in doubt as to the meaning of any part of the RFP.

7.5 Examinations: Before submitting a proposal, the contractor shall thoroughly examine the RFP- as well as the park location, and otherwise be fully informed as to all existing conditions and limitations.

Section II: Specifications and Offer

1. Scope of Work

It is the intention of the Town of Hamilton to purchase playground equipment from a qualified vendor. Suppliers should base their playground equipment on meeting all accessibility and safety standards as well as the guidelines and specifications listed in this RFP.

1.1 Equipment

The Town is requesting that proposers provide the specifications, layout, design and cost for age appropriate (0-5, 5-12) playground equipment. While the surface under and around the equipment is beyond the scope of this RFP, if the specified equipment requires a certain type of surface, that information shall be included in the Proposal.

Recommendations for Equipment

- 1 play structure for children 0-5, it is to be located within an approximate 810 square foot area, fall zone regulation included
- 1 play structure for children 5-12, located within an approximate 2,300 square foot area, fall zone regulation included

The playground equipment may include but is not limited to:

- Nautical Theme
- Decks and Bridges
- Various types of slides
- Ladders
- Tubes
- Stairs
- Climbing nets
- Rock type climbers
- Spinning components

The total dollar amount allocated to the equipment is **\$59,000**. Any proposals exceeding this limit will not be considered.

1.2 Safety Standard Requirements

- All Playground equipment must meet the most current requirements in the following and documentation must be provided to that effect.
 - American Society for Testing and Materials (ASTM) Specifications for Playground Equipment for Public Use.
 - Consumer Product Safety Commission (CPSC) Public Playground Safety Handbook
 - International Play Equipment Manufacturers Association (IPEMA) Certified
 - American Disabilities Act Accessibility Guidelines

1.3 Quality of Materials

- Stainless Steel or Carbon Steel hardware is preferred
- Steel tube components comply with ASTM standards A-500 or A-513.
- Rotationally molded plastic parts which comply with ASTM D 790, ASTM D 638, ASTM D 648, are preferred.
- Wood Playground Structures Preferred

- Recycled and environmentally sensitive manufacturing processes and materials are preferred

1.4 Warranty/Guarantee

- Warranties that have a breakdown of number of years for each category are preferred. Warranty information must accompany the Proposal.
- The equipment manufacturer shall warrant material and workmanship against defects from the date of the manufacturer's invoice or equipment delivery, whichever is later

2. Installation

The two play structures being asked for within this proposal will supplement additional playground equipment that has already been purchased. The installation of the safety surfacing and all playground equipment will be sought through a separate RFP and is scheduled for the Spring of 2013. Proposers must assist the install company with any materials or services during the install period, as needed by the install company. Proposers must also designate someone who visits the site during install to evaluate the progress of the project.

3. References

3.1 Financial References

Bidders must include a credit report from a credit agency indicating the bidder's credit history for the past three (3) years. The credit report must be dated no earlier than 60 days prior to the submission date.

3.2 Performance References

Bidders must provide contact information for all public or non-profit customers to whom the bidder has supplies playground equipment in the last five years.

Section III: Evaluation Criteria

1. Proposal Opening: All proposals will be opened on Wednesday, February 20th at 10am at the Hamilton-Wenham Recreation Center.

1.2 Proposal Evaluation : All proposals will be reviewed by the Town Manager, Recreation Director, Recreation Commission, and the Friends of Patton Park Fundraising Group to evaluate the RFP responses based on the following Minimum Criteria and Comparative Evaluation Criteria:

MINIMUM CRITERIA:

1. Conformance with all submission requests
2. Clear presentation of the requirements in the RFP

COMPARATIVE EVALUATION CRITERIA:

1. RESPONSE TO RFP

Highly Advantageous

The proposal includes a reasonable, detailed, innovative, and highly efficient approach to address all of the required issues within the time period and provides a strong understanding of the scope of services.

Advantageous

The proposal includes a credible approach to address all of the required issues.

Non-Advantageous

The proposal is not sufficiently detailed to fully evaluate or does not contain components necessary to address all the required issues.

2. RELEVANT EXPERIENCE OF THE COMPANY

Highly Advantageous

The Company has 10 or more years of significant expertise and experience with providing comparable playground equipment as described in the Scope of Work

Advantageous

The Company has 5-9 years experience with providing comparable playground equipment as described in the Scope of Work

Non-Advantageous

The Company has less than five years experience with providing playground equipment as described in the Scope of Work

3. WARRANTIES ON EQUIPMENT

Highly Advantageous

The company has provided evidence of warranties on ALL pieces of playground equipment specified in their proposal

Advantageous

The company has provided warranties on SOME playground equipment in their proposal

Non-Advantageous

The company has provided NO warranties on the playground equipment specified in their proposal

4. DEGREE TO WHICH THE DESIGN OF PLAYGROUND EQUIPMENT COMPARES TO THE SPECIFICATIONS AS DESCRIBED IN SECTION II

Highly Advantageous

The design of the playground equipment compares very favorably to the specifications and provided in this RFP. In the instances where the equipment does not compare favorably, a detailed explanation is provided by the proposer

Advantageous

The design of the playground equipment compares somewhat favorably to the specifications provided in this RFP. In the instances where the equipment does not compare favorably, a detailed explanation is provided by the proposer

Non-Advantageous

The design of the playground equipment does not compare favorably to the specifications provided in this RFP. No explanation is provided by the proposer for why the equipment does not compare favorably.

The responsive and responsible bidder with the most advantageous proposal, taking into account consideration price and evaluation criteria will be awarded the contract.

Section IV: Proposal Documents

Proposers must provide information for each of the following areas:

1. Qualifications of company in reference to this proposal
2. A complete list of municipalities, schools, non-profits, etc.. to which proposer has provided playground equipment to in the last 5 years including contact information
3. Evidence of Insurance
4. Certificate of Non-Collusion
5. Certificate of Tax Compliance

Cost Pricing

Proposers must provide a pricing proposal form which details the following

1. Cost of equipment per an attached itemized list
2. Cost of delivery, as well as an estimated delivery date, preferred delivery prior to April 12th.
3. Total Cost of equipment and delivery

