THE CITY OF EDINBURG

REQUEST FOR PROPOSALS

The City of Edinburg is soliciting sealed proposals to be received by the City Secretary's Office located at 415 W. University Drive, Edinburg, Texas 78541. City of Edinburg normal business days are Monday through Friday between the hours of 8:00 a.m. to 5:00 p.m. and shall be closed on recognized holidays.

Proposals will be received until **3:00 p.m. Central Time**, on **Monday, February 20, 2012**, shortly thereafter all submitted proposal will be gathered and taken to the Edinburg City Hall Community Room, 1st Floor, to be publicly opened and read aloud. Any proposal received after the closing time will not be accepted and will be returned to the proposer unopened. It is the responsibility of the proposer to see that any proposal submitted shall have sufficient time to be received by the City Secretary's Office prior to the proposal opening date and time. The receiving time in the City Secretary's Office will be the governing time for acceptability of the proposals. Proposals will not be accepted by telephone or facsimile machine. All proposals must bear original signatures and figures. The Proposal shall be for:

RFP NO. 2012-18
PLAYSCAPE

Bidders receiving a "NOTICE TO BIDDERS" and/or "REQUEST FOR PROPOSALS" notice in the mail or reading same in the newspaper are advised that the bidding documents can be downloaded from the City of Edinburg web page address: www.cityofedinburg.com, or may obtain copies of same by contacting the office of:

LORENA FUENTES, PURCHASING AGENT, LOCATED AT 415 W. UNIVERSITY DRIVE, Edinburg, TX 78541 by calling (956) 388-8972 or by e-mailing your request to the following e-mail address: lfuentes@cityofedinburg.com

If you have any questions or require additional information regarding this proposal, please contact Mr. Luis A. Rodriguez, Director of Parks & Recreation, at (956) 381-5631.

Hand-delivering Proposals: 415 West University Drive,
c/o City Secretary Department (1st Floor)

If using Land Courier (i.e., FedEx, UPS): City of Edinburg
c/o City Secretary
415 West University Drive
Edinburg, Texas 78541

If Mailing Proposals: City of Edinburg
c/o City Secretary
P.O. Box 1079
Edinburg, TX 78540-1079

The City of Edinburg reserves the right to refuse and reject any or all proposals and to waive any or all formalities or technicalities and to accept the proposal deemed most advantageous to the City, and hold the proposals for a period of **60** days without taking action.

Proposals must be submitted in an envelope sealed with tape and prominently marked on the lower left hand corner of the proposal envelope with corresponding proposal number and title.

SECTION I
GENERAL TERMS AND CONDITIONS

The City of Edinburg (hereinafter referred to as "THE CITY") is soliciting submittals from qualified vendors with an interest in providing goods (hereinafter referred to as "**PLAYSCAPE**") to the City of Edinburg.

ADDITIONAL INFORMATION: The City of Edinburg is requesting that RFP's be routed to: The CITY Secretary, at 415 West University, Edinburg, Texas 78541.

NON-COLLUSION: Submitters, by submitting a signed submission, certify that the accompanying submission is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Texas or United States law.

PROCESSING TIME FOR PAYMENT: Submitters are advised that a minimum of thirty (30) days is required to process invoices for payment.

ELECTRONIC SUBMISSION OF BIDS: The City of Edinburg's City Secretary Department will not accept telegraphic or electronically transmitted submissions.

PROOF OF FINANCIAL AND BUSINESS CAPABILITY: Submitters must, upon request, furnish satisfactory evidence of their ability to furnish products or services in accordance with the terms and conditions of these requirements. The CITY will make the final determination as to the submitter's ability.

SUBMITTER DEFAULT: The City of Edinburg reserves the right, in case of submitter default, to procure the articles or services from other sources and hold the defaulting submitter responsible for any excess costs occasioned thereby.

RESTRICTIVE OR AMBIGUOUS REQUIREMENTS: It is the responsibility of the submitter to review the Request For Proposals (RFP) packet and to notify the City Secretary Department if the requirements are formulated in a manner that would unnecessarily restrict competition. Any such protest or question regarding the requirements or bidding procedures must be received in the City Secretary Department not less than seventy-two hours prior to the time set for the opening. These criteria also apply to requirements that are ambiguous.

RFP DELIVERY: The City of Edinburg requires submitters, when hand-delivering request for proposals to have a The City Secretary Department representative time/date stamp and initial the envelope.

WAIVING OF INFORMALITIES: THE CITY reserves the right to waive minor informalities or technicalities when it is in the best interest of THE CITY.

SUBCONTRACTING: The successful submitter may not subcontract the award without the written consent of the City.

BIDDER RESPONSIBILITY: It is the responsibility of each vendor before submitting a proposal:

To examine thoroughly the contract documents and other related data identified in the proposal documents.

To visit the site to become familiar with and satisfy vendor as to the general, local, and site conditions that may affect cost, progress, performance, etc.

To consider federal, state, and local laws and regulations that may affect costs, progress, performance or furnishing of the work.

To study and carefully correlate vendor's knowledge and observations with the contract documents and such other related data.

To promptly notify THE CITY Purchasing of all conflicts, errors, ambiguities, or discrepancies which vendor has discovered in or between the contract documents and such other related documents.

PREPARATION COSTS: This RFP does not commit THE CITY to enter into a Contract, award any services related to this RFP, nor does it obligate THE CITY to pay any costs incurred in preparation or submission of a submittal or in anticipation of a contract.

REQUEST FOR PROPOSALS: The required contents and limitations for the preparation of the RFP are described in this section. Failure to provide the requested information or adhere to any of The CITY limitations will result in disqualification of the submitted RFP. A total of **one (1) original and three (2) copies** of the RFP shall be submitted to the address on the cover letter.

RFP SUBMITTED TO:

City of Edinburg
c/o City Secretary
415 West University
P.O. Box 1079
Edinburg, Texas 78540-1079

RFP's must be submitted by **no later than** 3:00 p.m. on **Monday, February 20, 2012**.

Any questions relating to the RFP should be directd to Luis Rodriguez, Director of Parks and Recreation, at 956-381-5631.

INSURANCE REQUIREMENTS:

Staff may waive insurance requirements for contracts $0 - $4,999.99, including but not limited to contracts for food, materials, supplies, and construction. Workers' Compensation in amounts which satisfy statutory coverage shall be required for construction projects.

The following insurance requirements will be included in all City contracts of $5,000 - $14,999.99. In contracts not involving building and construction projects, as that activity is defined in TEX. LABOR CODE §406.096, contractors may obtain alternative form of worker accident insurance with minimum limits of liability of $100,000 per claim.

Minimum Insurance Requirements	
Type of Coverage	**Limits of Liability**
Worker's Compensation	Statutory Coverage
Comprehensive General Liability (City named as additional insured) Bodily Injury	$250,000 each person/$500,000 each occurrence
Property Damage	$100,000 each occurrence/$100,000 aggregate or $500,000 combined single limits

The following insurance requirements will be included in all City contracts of $15,000 or more.

(1) The successful bidder will be required to carry the following insurance coverage and limits of coverage, as well as list the City as an additional insured to liability coverage as requested by the City. In addition, the successful bidder shall provide the City with evidence of coverage and furnish acceptable proof of payment of insurance premiums.

(2) The successful bidder will be required to secure and/or have insurance coverage in force with an admitted property and casualty insurance company licensed by the State of Texas to conduct business in the State of Texas.

(3) In contracts not involving building and construction projects, as that activity is defined in TEX. LABOR CODE §406.096, contractors may obtain alternative form of worker accident insurance with minimum limits of liability of $100,000 per claim.

Minimum Insurance Requirements	
Type of Coverage	**Limits of Liability**
Worker's Compensation	Statutory Coverage
Employer's Liability	Bodily Injury by Accident: $100,000 each accident

	Bodily Injury by Disease: $100,000 each employee/$500,000 policy limit
Comprehensive General Liability Bodily Injury Property Damage	 $250,000 each person/$500,000 each occurrence $100,000 each occurrence/$100,000 aggregate or $500,000 combined single limits
Comprehensive Auto Liability Bodily Injury Property Damage	 $100,000 each person/$500,000 each occurrence $100,000 each occurrence/$100,000 aggregate or $500,000 combined single limits
City's Protective Liability Bodily Injury Property Damage	 $250,000 each person/$500,000 each occurrence $100,000 each occurrence/$100,000 aggregate or $500,000 combined single limits

If the contract amount is over twenty-five-thousand dollars ($25,000) for construction of the project, the successful bidder shall provide a bid guarantee, give a good and sufficient bond in the full amount of the contract price for the faithful performance of such contract, executed by a surety company authorized to do business in the State of Texas, in accordance with Article 5160, Vernon's Texas Civil Statutes, and amendments thereto. A payment bond in the full amount of the contract price to assure payment shall be required by law of all persons supplying labor and material in the execution of the project provided for in the contract documents.

A bid guarantee equivalent to five percent (5%) of the bid price will be required from each bidder. The "bid guarantee" shall consist of a firm commitment, such as a bid bond, certified check or other negotiable instrument accompanying a bid as assurance that the bidder will upon acceptance of his/her bid, execute such contractual documents as may be required within the time specified.

A performance bond on the part of the contractor for one-hundred percent (100%) of the contract price will be required. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

A payment bond on the part of the contractor for one-hundred percent (100%) of the contract price will be required. A "payment bond" is one executed in connection with a contract to assure payment, as required by law, of all persons supplying labor and material in execution of the work provided for in the contract documents.

Bidders are expressly advised to review the contract documents fully and insurance requirements of the proposed contract as to their legal requirements and the causes which may lead to the disqualification of a bidder and/or rejection of a bid proposal. No bid may be withdrawn within a period of sixty (60) days after the dated fixed for opening the bids. Unless all bids are rejected, the Owner will give Notice of Award of Contract to the successful bidder as soon as possible consistent with the time for a thorough analysis of bids submitted. Bidders are expected to inspect the site of work and to inform themselves regarding all local conditions which may affect their bid.

A bid guarantee, performance and payment bond will not be required for contracts zero to $25,000. The City will specify in the contract that no money will be paid to the contractor until the project has been completed and final acceptance has been made by the City.

Certificates of insurance naming the CITY as an additional insured shall be submitted to the CITY for approval prior to any services being performed by Contractor. Each policy of insurance required hereunder shall extend for a period equivalent to, or longer than the term of the Contract, and any insurer hereunder shall be required to give at least thirty (30) days written notice to the CITY prior to the cancellation of any such coverage on the termination date, or otherwise. This Contract shall be automatically suspended upon the cancellation, or other termination, of any required policy of insurance hereunder, and such suspension shall continue until evidence that adequate replacement coverage is provided to the CITY. If replacement coverage is not provided within thirty (30) days following suspension of the Contract, the Contract shall automatically terminate.

WARRANTY

The successful supplier or service provider shall furnish factory warranty on all goods or services furnished hereunder against defect in materials and/or workmanship. The factory warranty shall become effective on the date of delivery and acceptance by the City. Should any defect in material or workmanship, excepting ordinary wear and tear, appear during the above stated warranty period, the successful bidder shall repair or replace same at no cost to the City. Warranties shall be indicated on the bid sheet or enclosed therewith.

CITY OF EDINBURG
REQUEST FOR PROPOSALS

Request for Proposals to:

- Design and furnish a "Treehouse" themed play structure for the City of Edinburg Parks and Recreation Department at Cenizo Park.
- Bidders are required to submit one (1) proposal for consideration.
- The target age group is 5-12.
- The budget for the project is $50,000. It is the city's intent to spend the entire budget. All proposals must be at the budgeted amount to be considered.
- Since space is not an issue, the city is looking for the best play value and size of play structure for this budget.

The RFP/Bids will be evaluated based on the following criteria:

- Best Treehouse theme
- Quality of equipment
- Play value
- Play variety and innovative approach
- Best overall design/proposal for the stated project budget
- Bidding Company's experience and references
- Special strengths or original approach

PROJECT

RFP Price ($50,000) MUST include:

1. Treehouse themed play structure for ages 5-12
2. Age appropriate freestanding safety sign
3. IPEMA certified engineered wood fiber safety surfacing (sufficient for 12" compacted depth) for the use zone required by the play structure design
4. All delivery charges
5. Unloading of materials and installation of play structure, resilient surfacing and containment border will be by the city.

BIDDER

- Provide 1 ORIGINAL and (2) copies of their proposal.
- Specify delivery date after receipt of order.
- Provide a list of at least ten (10) project references including Project Name, City, Contact Person, and Phone Number.
- Provide evidence that all proposals meet or exceed all current CPSC and ASTM guidelines and are IPEMA Third Party Certified to ASTM F1487. Provide certification for both play equipment and engineered wood fiber surfacing.
- Provide certification that all equipment is compliant with CPSIA 2008.
- Design must comply with Federal ADA guidelines for Public Play Areas.
- Must submit the following with their bid to be considered:
    - 2D Plan views of proposal
    - 3D color CAD renderings of each proposal
    - Descriptive product literature for playground equipment and safety surfacing
    - General product specifications
    - Color chart for all components, decks, posts, and slides
    - A copy of manufacturer's warranty
- Failure to provide any of the above may disqualify your proposal.
- The bidder may, at his/her option, provide any additional information which may provide further understanding of his/her proposal.

GENERAL PLAY STRUCTURE SPECIFICATIONS

- Each proposal must conform to the accessibility requirements of the ADA (including appropriate number and type of ground level play events).
- All slides proposed must have a sit-down canopy.
- All slides and slide exits must be of double wall construction.
- All decks, steps, bridges, and ramps will be PVC coated perforated metal with no openings large than 3/8".
- Deck posts shall be 5" O.D., 11 gauge, galvanized steel tubing with cast aluminum post caps.
- Square decks must be a minimum of 48" x 48".
- All deck posts shall have a minimum finish grade depth of 36".
- All vertical, ground to deck, and overhead climbers shall have an arch entry enclosure at the deck edge.
- Protective barriers shall be required on all decks, step rails (except transfer step) between decks, bridges and ramps.
- All bolts, nuts, screws, washers, and other hardware used for assembly of equipment must be tamper resistant stainless steel.
- Adjacent decks with a rise of 7" or more must have a protective riser panel.
- Riser panes of 18" or more must include a step with handholds.
- Any roofs must be a minimum of 72" above deck edge.
- All proposals must include age appropriate freestanding safety signage.

SAFETY SURFACING SPECIFICATIONS

- Must be virgin engineered wood fiber (recycled fiber materials will not be considered).
- Depth shall be 12" after compaction.
- Product must be IPEMA certified to ASTM 1951-99 and ASTM F2075-01.
- Manufacturer must carry at least $10,000,000 in excess liability insurance.
- Manufacturer must have a written ten year limited product warranty.

PROPOSAL FORM:

I have read and understood the requirements set forth in this RFP #2012-18 and agree to comply except as noted. The cost proposal includes all shipping and handling and detailed pricing on "PLAYSCAPE" items as required by the City of Edinburg.

SUBMITTED BY: _____

PROPOSER: _____

SIGNED: _____

NAME (PRINT): _____

TITLE: _____

ADDRESS: _____

CITY/STATE: _____ ZIP: _____

TELEPHONE: (_____) _____
Area Code

FAX: (_____) _____
Area Code

FEDERAL TAX IDENTIFICATION NUMBER: _____

EMAIL ADDRESS: _____

EQUIPMENT MANUFACTURER: _____

DELIVERY TIME ARO: _____

TOTAL BID AMOUNT FOR THIS PROPOSAL: $50,000.00

Optional Installation of Play Structure: $_____

Optional Installation of Wood Fiber: $_____