REQUEST FOR PROPOSALS
COVER SHEET

Date: Monday June 6, 2016
Proposal Number: RFP 16-007
Proposal / Bid Title: Town of Bennett
Centennial Park - Design-Build

Proposals Will Be Received Until: Thursday, June 30, 2016, 2:00 p.m., Local Time
Bennett Town Hall, 355 4th Street, Bennett, CO 80102

Goods or Services to Be Delivered to or Performed At: Town of Bennett, Colorado
For Additional Information Please Contact: Rachel Summers, Administrative Services Director
(303) 644-3249
rsummers@bennett.co.us

Documents Included in This Package:
Request for Proposals Cover Sheet
Invitation to Propose
General Terms and Conditions
Special Terms and Conditions
Proposal Content
Pricing Form
Submission Form
Substitute Form W-9
Sample Construction Contract
Centennial Park - Design-Build

If any of the documents listed above are missing from this package, they may be picked up at the Bennett Town Hall, 355 4th Street, Bennett, Colorado 80102. If you require additional information, call Rachel Summers at (303) 644-3249.

The undersigned hereby affirms that (1) he/she is a duly authorized agent of the contractor, (2) he/she has read all terms and conditions and technical specifications which were made available in conjunction with this solicitation and fully understands and accepts them unless specific variations have been expressly listed in his/her offer, (3) the offer is being submitted on behalf of the contractor in accordance with any terms and conditions set forth in this document, and (4) the contractor will accept any awards made to it as a result of the offer submitted herein for a minimum of ninety (90) calendar days following the date of submission.

PRINT OR TYPE YOUR INFORMATION

Name of Company: __________________________________________ Fax: __________________
Address: __________________________ City/State: ______________ Zip: ____________
Contact Person: ________________ Title: ____________________ Phone: ______________
Authorized Representative’s Signature: ______________________ Phone: ______________
Printed Name: __________________________ Title: __________________ Date: __________
Email Address: ____________________________________________
The Town of Bennett, Colorado, hereby gives notice that original sealed Proposals will be received for the Town of Bennett "Centennial Park - Design-Build" project. The Town of Bennett is interested in selecting a Design-Build Team (DBT) to design, furnish, and install new playground equipment, pavilion and other park amenities and site improvements for the Centennial Park Renovation Project through the Request for Proposal (RFP) process. The intent is to design and construct a new playground structure, one pavilion, as well as to add additional park amenities at Centennial Park. The design of the new playground equipment should be geared towards a variety of users and abilities.

The DBT will evaluate the site and Park Master Plan, and work in conjunction with the Town staff to develop a final design for the Park, in accordance the stated project budget and schedule goals. Once a final design is submitted and approved, the selected DBT will prepare construction drawings and specifications for the site and accessory items. The construction drawings must be stamped by a professional engineer (PE) or registered landscape architect (RLA) licensed with the State of Colorado and submitted for review and permitting. The DBT will coordinate and construct the project. The DBT will be responsible for maintaining the schedule and budget. The DBT will be liable and responsible for the removal and disposal of existing equipment as well as the design, fabrication, shipping, taxes, erection and safety of the project.

This project has been funded through federal Community Development Block Grant funds and all work completed on the project will be performed in compliance with the Davis-Bacon Act and Federal Labor Standards Provisions (HUD form 4010 – Attachment 1).

PROPOSALS RECEIVED: Proposals will be received until 2:00 P.M., local time, on Thursday, June 30, 2016, at the Town of Bennett Town Hall, 355 4th Street, Bennett, Colorado 80102 and evaluated thereafter by the Town of Bennett. There will be no public opening or reading of the proposals received. Proposals shall be addressed to Rachel Summers, Administrative Services Director, Town of Bennett, Colorado, and shall be labeled "Centennial Park - Design-Build".

The proposal is not intended to be an expansive or elaborate document. Town staff will expect the proposal to be thoughtfully composed and easy to understand. The body of the proposal shall be no more than twenty five (25) pages, not including cover letter, current rate sheet, and resumes. Resumes should be formatted identically and placed in the appendix.

The proposal shall include the following items:

A. Title Page: Provide the title of the Proposal being submitted, the RFP number, submittal date, and the name and logo of the company or companies submitting the Proposal.

B. Cover Letter: Letter must include statement certifying that the financial details in your Proposal will remain valid until 120 days from date of Proposal submission.
C. Table of Contents: List all sections, sub-sections and supporting appendices. Page number cross-references are to be included at a detailed level.

D. Introduction/Executive Summary: Provide detailed information regarding relationships, partnerships or associations of any kind that have been made regarding this opportunity, for this or any future phases of the Project.

E. Project Team: A detail description of the DBT that are undertaking the work, and the role of each consultant/contractor in the project. The proposal should state whether the proposed consultants/contractor have previously worked together and in what capacity.

1) Identify the individuals and their respective labor rate from each consultant who will be involved in the project and describe their project specific responsibilities.

2) Include, but not limited to the following:
   a) Project Manager
   b) Primary party responsible for playground design
   c) Primary party responsible for construction of the playground renovation.
   d) Other (landscape architect, engineer, etc)

F. Scope of Work: The DBT should thoroughly explain proposed means and methods to perform each objective. Include information on testing requirements, data to be collected, equipment to be used, submittals, meetings and any other pertinent information associated with each objective. Descriptions should clearly state the base intent of the proposal and all items included followed by any value-added services that may be included and are considered beyond the intended scope of work as stated in this document or any amendments. Any items of work within this proposal that limit the quantity, time, materials, or units allocated shall be clearly stated with the maximum quantity of each listed as applicable.

1) Explain in detail the DBTs vision for Centennial Park and the use of the allowable space.
   a) Explain how the park will ensure users of all ages, abilities are included.
   b) At a minimum, equipment should be available for children, ages 2-5 and 5-12. Outdoor fitness equipment should be accessible to adults of all ages and abilities

2) Explain in detail how the new equipment will be integrated into the existing Park.
   a) Identify how the design will minimize any negative impact to the adjacent residential area.

3) Explain the policies and procedures for the quality control and assurances as it specifically relates to the construction of the project and compliance with permitting agencies, profession/industry standards and any other pertinent requirements.

4) Describe approach to reducing overall project costs. Describe the operational, material quality, technical and/or cost benefit to incorporating value engineered items.

5) The DBT shall include a proposed project schedule for the project.

G. DBT MUST include in their proposal an acknowledgement that this project has been funded through federal Community Development Block Grant funds and all work completed on the project will be performed in compliance with the Davis-Bacon Act and Federal Labor Standards Provisions (HUD form 4010). DBT will be responsible for all documentation
related to and required by the Davis-Bacon Act throughout the entirety of the project and at project close-out. DBT shall provide examples of projects that have been successfully completed in compliance with the Davis-Bacon Act within the past five years.

DOCUMENTS: The Master Plan and Request for Proposal Documents are on file for inspection at Town Hall, Town of Bennett, 355 4th Street, Bennett, Colorado 80102. Adobe PDF copies may be obtained via direct download from the Town of Bennett web site, RFP section, and may be reproduced and distributed freely.

MANDATORY PRE-PROPOSAL MEETING: A mandatory Pre-Proposal Meeting will be held at 2:00 pm on Monday, June 13, 2016 at the Town of Bennett, Town Hall Board Room, 355 4th Street, Bennett, Colorado 80102. Bids will be returned un-opened if an authorized representative of the company is not present and signed in at the Pre-Proposal Meeting.

PROJECT RATIONAL & SCOPE:

A. Objectives
1. The Town of Bennett, hereinafter referred to as the "Town", is beginning the process to select a qualified and experienced DBT for the purposes of design and construction of the Centennial Park Renovation Project. Competitive negotiation as described in this document will be a part of the process used in this Request for Proposal.

2. Through this final Request for Proposal, the Town seeks to:
   a) Specify the terms and conditions that would govern any resulting contracts and negotiations;
   b) Select the successful team(s).

3. This Request for Proposal states the instructions for submitting proposals, and the procedure and criteria by which a successful team will be selected.

B. Project Location
1. Centennial Park is located at Hancock Court in the Centennial Subdivision in Bennett CO, 80102.Parcel Id: 0181528418020

2. The DBT should carefully examine the site of the proposed work prior to submission of the RFP and make all necessary investigations to inform themselves thoroughly as to all potential difficulties involved in the completion of all work required pursuant to mandates and requirements of this RFP and the Agreement.

C. Scope of Work
1. Planning
   a) The DBT will be responsible for the analysis of the project site and shall provide a recommendation for the most appropriate playground and adult fitness equipment based on safety, access, experience, economic feasibility, and adjacent structures.
   b) Based upon site analysis, Scope of Work as written in the RFP, and the mandatory pre-bid meeting, DBT will prepare three (3) concepts for the final RFP proposal. Town staff may use the concept designs to solicit public input during the final selection process.
   c) The DBT will be responsible for revisions to the selected concept plan and preparing final concept plan.
   d) The DBT will provide an approximate construction schedule for concept selected.

2. Design
   a) Prepare final design and construction documents based on Town staff input and public input from original master plan in 2011. (Master Plan – Attachment 2)

   b) All equipment must conform to the Consumer Product Safety Commission’s Public Playground Safety Handbook. All equipment specified must be IPEMA and ISO 9001
certified. All equipment shall be compliant with the full intent of all ADA guidelines for accessibility; play components and design. Equipment that does not meet these requirements will not be considered.

c) Equipment shall be of commercial quality and very low maintenance.
   i. Enclosed play elements such as tube slides are not preferred
   ii. Equipment made of wood shall not be permitted

d) Redundant play elements will be counted as only one element in the evaluation.

e) The prices listed in the design proposal must include all costs associated with the project, including but not limited to mobilization and demobilization, demolition and removal of existing play structures and park equipment, construction, shipping, handling, delivery, design, installation of the equipment and post installation audit of the equipment.

f) The DBT shall be responsible for coordination with applicable agencies to ensure that underground utilities and services are not impacted by the proposed design or construction.

   i. The DBT is responsible for all of the design work including, but not limited to, earthwork, foundation, concrete curbing, layout, and playground designs.
   ii. The DBT will be responsible for incorporating the playground and equipment into the existing layout of Centennial Park, which will include but not limited to any landscape, grading, drainage, water quality, replacement and/or modifications to the existing site area, and protection of existing non-hazard mature trees.
   iii. The DBT will be responsible for development of construction drawings and specifications. At a minimum the plans shall include a demolition plan, grading plan, site layout plan, and section plans.
   iv. All work shall be designed using the playground industry standards, Colorado Revised Statutes, and other applicable documents. All work will meet or exceed applicable codes and pass inspection.
   v. The design and construction shall comply with the most recent version of standards ASTM F1487 Standard Consumer Safety Performance Specification for Playground Equipment for Public Use.
   vi. The design and construction shall comply with the most recent version of standards ASTM F3101-15 Standard Specification for Unsupervised Public Use Outdoor Fitness Equipment.
   vii. The design and construction shall comply with the most recent version of standards ASTM F1292-13 Standard Specification for Impact Attenuation of Surfacing Materials Within the Use Zone of Playground Equipment.
   viii. The design and construction shall comply with the most recent version of standards ACI 117, Standard Tolerances for Concrete.
   ix. The final design shall be in conformance with requirements set forth in the Americans with Disabilities Act.

3. Construction

   a) Renovate Centennial Park and playground equipment within the designated location.

      i. The DBT shall provide work trailer (if applicable), storage, construction signage, safety and first aid, temporary utilities (toilets, power, telephone, etc.), cost of hooking up utilities at jobsite, temporary improvements related to maintain access, temporary water, and all necessary equipment to build the project.

      ii. The DBT will provide and maintain a secure work area. Fencing will be installed to keep the work area safe at all times during construction. Safety and security of the site is the responsibility of the DBT.

      iii. The DBT shall be responsible for coordination with applicable agencies to ensure that underground utilities and services are not impacted by the proposed design or construction.
iv. The DBT shall be responsible for the removal of boulders and earthwork, demolition and site preparation for the playground.

v. The DBT shall be responsible for furnishing labor, equipment, supplies, and materials to construct a shaded pavilion, a playground recommended for ages 2-12 and landscape.

vi. The DBT shall be responsible for the removal and demolition of the existing equipment.

vii. The DBT shall be responsible for all work to fabricate, construct and install all aspects of the playgrounds and pavilion into the existing park.

viii. The DBT will be responsible for all construction work including, but not limited to, earthwork, drainage, foundation, concrete, and construction and installation of new equipment and pavilion.

ix. The DBT will be responsible for the construction to incorporate the new park equipment into the existing park, which will include but not limited to any landscape, grading, drainage, and irrigation design, replacement and/or modifications to the existing site area.

x. All construction testing (compaction, concrete, etc.) will be the responsibility of the DBT and shall be included in the proposed overall cost of the project.

xi. The DBT will be responsible for all site restoration.

xii. All work must be completed in a timely manner.

xiii. The DBT is responsible for obtaining all applicable permit prior to mobilization and construction.

xiv. Warranties shall include a minimum of two years on all items

b) The DBT shall provide final as-built drawings of the Centennial Park Renovation and improvements associated with the project.

4. Deliverables
   a) Preliminary drawings – 1 set of full size drawings, 2 bound sets of half size drawings, PDF electronic drawings, and AutoCAD format.
   b) Construction drawings – 1 set of full size drawings, 2 bound sets of half size drawings, PDF electronic drawings, and AutoCAD format.
   c) As-built drawings – 1 set of full size drawings, 2 bound sets of half size drawings, PDF electronic drawings, and AutoCAD format.
   d) The budget for the project shall include all soft and hard costs at a minimum but not limited to: bonds, insurance, permits, planning, the design, mobilization, de-mobilization, demolition, site preparation, drainage, fabrication, installation, construction, construction testing, fencing, site amenities, landscaping, irrigation, all related materials, work, and equipment required to complete the work is approximately $316,000. The budget excludes sales tax, and contingency.

DBT REQUIREMENTS

A. The DBT preparing proposals should demonstrate a high level of competence in playground design and construction, with a demonstrated ability to work effectively with: public agencies, area residents and other stakeholders. The selected DBT should have demonstrated ability to provide high quality services on time and within budget. Provide examples and references. The Town of Bennett requires certain minimum qualifications in insurance coverage, indemnification, and financial standing.

B. Provide the name, address, telephone number, fax number, email address, and mailing address of the primary contact, and, if available, a designated alternate contact person, in the event of any absence of the primary contact. Provide resumes of all team members including the supporting role each individual will provide during the course of the project(s). Please include all subcontractors (including geotechnical services) that may be part of this proposal and their proposed role.
C. All work is to be performed under the direction and supervision appropriate to the task, of a Colorado-Licensed Professional Engineer.

D. No consultant, sub consultant, subcontractor will be accepted if any of the consultant’s, sub consultant’s, or subcontractor’s is in arrears to the Town, or has any claims, arbitration proceedings, or lawsuits pending, outstanding, or threatening to the Town.

**CONTRACT FOR SERVICES**

The successful DBT will be required to sign a contract in a form acceptable to the Town. No services shall be provided until the contract for services has been signed by the Town.

**SECTION 3 CLAUSE** All contracts subject to the Section 3 requirements will include the following clause:

A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 170lu (Section 3).

The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3 shall, to the greatest extent feasible, be directed to low and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with part 135 of the regulations.

C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or worker's representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The contractor will not subcontract with any subcontractor when the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.

D. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed were not filled to circumvent the contractor's obligations under 24 CFR Part 135.

E. Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

**INSURANCE REQUIREMENTS UPON AWARD OF CONTRACT**
The successful DBT will be required to procure and maintain policies of insurance in the following minimum coverages:

(1) Workers’ Compensation insurance to cover obligations imposed by the Workers’ Compensation Act of Colorado and any other applicable laws for any employee engaged in the performance of Work under this contract. Minimum limits of Worker’s Compensation Insurance shall be: (a) Each Accident $500,000; (b) Disease Policy $500,000; and (c) Disease Each Employee $500,000. Evidence of qualified self-insured status may be substituted.

(2) Comprehensive General Liability insurance with minimum combined single limits of ONE MILLION DOLLARS ($1,000,000) each occurrence and TWO MILLION DOLLARS (2,000,000) aggregate. It is acceptable to meet these minimum limits by combining a General Liability policy with an Umbrella policy. The policy(ies) shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual and employee acts), blanket contractual, independent contractors, products, and completed operations. The policy(ies) shall contain a severability of interests provision.

(3) Comprehensive Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than ONE MILLION DOLLARS ($1,000,000) each occurrence with respect to each of Contractor’s owned, hired and/or non-owned vehicles assigned to or used in performance of the Work. The policy shall contain a severability of interests provision.

(4) In the event that the services to be performed involve professional or consulting services, in addition to the aforementioned insurance requirements, the contract shall also be protected by a Professional Liability Insurance policy with a minimum limit of $1,000,000 per claim.

SELECTION PROCESS

A. The Town’s reviews the proposal for completeness and compliance with the proposal format. If acceptable, the Town will score the proposals.

1. Selection Criteria:
   a) Evaluations of the consultant’s proposal will be based on the quantitative and qualitative responses to the questions and supplemental information supplied in the proposal.
   b) Vendors will be allowed to submit multiple proposals for playground and fitness equipment options, but will be limited to a total of three (3) proposals.
   c) The final selection will not be solely based on cost. It is suggested that the design and construction concept maximize the total project budget. The Town will entertain all offers that fall within the budget amount, however firms that design within the budget will score higher in the evaluation process.
   d) Higher evaluation scores will be given to firms that demonstrate their ability to provide the greatest project value at or below the project budget.

B. The Town may, at its sole and absolute discretion:
   1. Accept or reject any and all, or parts of any or all, proposals submitted by DBTs;
   2. Re-advertise this RFP;
   3. Postpone or cancel the process;
   4. Waive any irregularities in the proposals received in conjunction with this RFP; and/or
   5. Determine the criteria and process whereby proposals are evaluated and awarded. No damages shall be recoverable by any challenger as a result of these determinations or decisions by the Town.

TERMS AND CONDITIONS: This project is funded through federal Community Development Block Grant funds. All work completed on the project will be performed in compliance with the Davis-Bacon Act and Federal Labor Standards Provisions (HUD Form 4010). All workers employed on this project shall receive the minimum prevailing Davis-Bacon wage requirements as specified in:
General Decision Number: CO160012 05/06/2016 CO12 or latest version. Wage requirements may change prior to start of work; current wage rates are in effect at the time of the bid opening. Wages will be effective 90 days after bid opening. If construction contract is not signed within the 90 day period, the most current wage rates will be in effect at that time.

DBTs are required to submit their proposals in accordance with the following express conditions:

1. DBTs shall make all investigations necessary to thoroughly inform themselves regarding the conditions of the Project. No plea of ignorance by the DBT of conditions that exist or that may hereafter exist as a result of failure to fulfill the requirements of the contract documents will be accepted as the basis for varying the requirements of the Town, or the compensation to the DBT.

2. DBTs are advised that all Town contracts are subject to all legal requirements contained in the Town’s Purchasing Policies, and State & Federal statutes. When conflicts between the RFP and these legal documents occur, the highest authority will prevail.

3. All Proposals and other materials submitted in response to this RFP shall become the property of the Town upon receipt, and will not be returned to the DBT. Selection or rejection will not affect this right. Information that is considered proprietary should be clearly marked as such and will be handled in accordance with applicable Federal and State laws. Neither cost information nor any response in total will be considered proprietary, and DBTs should assume that all portions of their response other than proprietary information will be public records.

4. The provisions herein are solely for the fiscal responsibility of the Town and confer no rights, duties or entitlements to DBTs.

5. This RFP is not an offer to contract.

The Town of Bennett intends and expects that the contracting processes of the Town and its contractors provide equal opportunity without regard to gender, race, ethnicity, religion, age or disability and that its contractors make available equal opportunities to the extent third parties are engaged to provide goods and services to the Town as subcontractors, vendors, or otherwise. Accordingly, contractors shall not discriminate on any of the foregoing grounds in the performance of the contract, and shall make available equal opportunities to the extent third parties are engaged to provide goods and services in connection with performance of the contract. Joint ventures are encouraged. Contractors shall disseminate information regarding all subcontracting opportunities under this contract in a manner reasonably calculated to reach all qualified potential subcontractors who may be interested. Contractors shall maintain records demonstrating its compliance with this article and shall make such records available to the Town upon the Town’s request.

DBT is responsible for obtaining and acknowledging all subsequent addendums. Failure to submit subsequent addendum(s) shall deem the DBT non-responsive.

Costs for developing a response to the Proposal, interviews, and contract negotiations are entirely the obligation of the DBT and shall not be charged in any manner to the Town.
REQUEST FOR PROPOSALS
SCHEDULE OF ACTIVITIES

SCHEDULE OF ACTIVITIES: The following activities and dates are just a tentative outline of the process to be used to solicit Contractor responses and to evaluate each Proposal.

June 6, 2016
June 13, 2016, 2:00 PM, Local Time
June 24, 2016
June 28, 2016
June 30, 2016, 2:00 PM, Local Time
July 1 thru 5, 2016
July 7, 2016
July 13, 2016
July 18, 2016
October 31, 2016
November 14, 2016

SUBMISSION: It is imperative, when submitting a bid/proposal, that you address the envelope as follows:

Town of Bennett
355 4th Street
Bennett, CO 80102

Attn: Rachel Summers
Administrative Services Director
RFP: 16-007 Centennial Park - Design-Build

Does your proposal comply with all the terms and conditions? If no, indicate exceptions YES / NO

Does your proposal meet or exceed all specifications? If no, indicate exceptions YES / NO

State percentage of prompt payment discount, if offered __________ %

State total bid price (include all items bid) __________

State total bid price with discount __________

The Town of Bennett must have on file a completed W-9 prior to doing business with Contractors. Please submit the attached form with your Proposal.