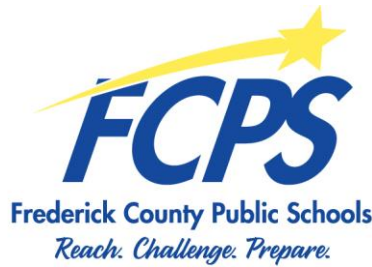


**Purchasing Office**  
191 South East Street  
Frederick, Maryland 21702  
301-644-5212 phone  
301-644-5213 fax



Stephen P. Starmer, C.P.M.,  
Purchasing Manager  
Kim Miskell, Assistant Purchasing Manager  
**Billie Laughland, Buyer Specialist**  
Bill Meekins, Buyer Specialist  
Scott Bachtell, Buyer Specialist

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May 19, 2015

**ADDENDUM 1**

**RFP 15MISC4, Playground Design Build Services and Bulk EWF Mulch Supply**

**REVISED DUE DATE: June 9, 2015 at 2:00 P.M.**

As a result of the pre-proposal meeting held on May 6, 2015, the following revisions are being made:

1. The last day for submission of questions is May 22, 2015.
2. The revised bid due date is June 9, 2015 at 2:00 P.M.
3. The revised date for award by the Board of Education award cannot be determined because the schedule has not been established. However, it is planned for July, 2015.
4. The Special Notices Section B. has been revised. A completely REVISED Special Notices section is attached.
5. Delete the Forms of Proposal—Parts 1 and 2, pages 43 and 44.
6. Add the Technical Proposal Bidder Questionnaire, enclosed.

Thank you for your interest in Frederick County Public Schools.

Sincerely,

*Ms. Billie Laughland*

Billie Laughland  
Buyer Specialist  
[billie.laughland@fcps.org](mailto:billie.laughland@fcps.org)

Attachments: Special Notices (6 pages)  
Technical Proposal Bidder Questionnaire (3 pages)

BWL/kl

Jamie Hitchner, Health/Physical Education, Curriculum Specialist (PreK-5)  
Ryan Carter, Construction Management, Project Manager II  
Jim McKeever, Grounds Crew Foreman, Maintenance Department  
Bid File

FREDERICK COUNTY PUBLIC SCHOOLS (FCPS)

RFP 15MISC4, PLAYGROUND DESIGN BUILD SERVICES AND BULK EWF MULCH SUPPLY

B. SPECIAL NOTICES

1. OTHER AGENCIES ELIGIBLE TO PURCHASE FROM THIS CONTRACT (modified)

The following agency/ies have expressed an intention to utilize this contract after it is awarded:

\_\_\_\_\_ Frederick Community College

\_\_\_\_\_ Various agencies under the auspices of the Frederick County Government

\_\_\_\_\_ Others: \_\_\_\_\_

Additionally, FCPS reserves the right to extend the opportunity to utilize this contract to any and all other public agencies and school districts in Maryland and outside of Maryland. Non-public schools may participate under any contracts for goods or commodities in Maryland. Participation by agencies not named above and requested after the bid is awarded must be mutually agreed upon in writing and in advance by the FCPS Purchasing Department, after consulting with the contract administrator, and the contractor.

By agreeing to extend the contract to other agencies, the contractor reaffirms and warrants his original commitment to FCPS so that afterwards all items and services shall continue to conform to the requirements and conditions of the original agreement for its duration. Agencies who utilize the contract agree to notify FCPS Purchasing Department of any significant experiences, problems or issues which may, or may have the potential to, affect our administration of this contract.

FCPS assumes no obligation on behalf of any other agency and shall be held harmless if either party is damaged due to the agency or contractors' failure to become informed of, or comply with, any provision or pricing under this agreement. All purchase orders and billing will be transacted between the contractor and the public agency.

2. REMOVAL FROM BIDDER'S LIST

A company is solely responsible for obtaining, completing, and returning the General Application form; this is especially important where notification of the bid was obtained through advertisement, a bidder was informed by a sub-contractor, manufacturer, etc. Contact Robin Underwood, Vendor Maintenance Specialist, by via e-mail: [robin.underwood@fcps.org](mailto:robin.underwood@fcps.org) to check the status of registration. The General Application is available on the FCPS website at: [www.fcps.org/purchasing](http://www.fcps.org/purchasing). The company is responsible for proper identification of bid categories on the form and is encouraged to contact a buyer in the Purchasing Department if he/she has questions. Applications are valid for a three year period. Therefore, it is imperative that the company notifies FCPS Purchasing Department of all address changes.

Only companies currently registered on the FCPS General Application will automatically receive notifications of a bid solicitation. Staff will review the mailing list of the previous bid for similar products/services. All registered companies will be sent a one-page notification of bid advising interested companies to visit the FCPS website in order to obtain a complete bid solicitation package.

FCPS will not be held responsible for a company's failure to become and remain a registered bidder, to identify appropriate bid categories on the registration form, or for failure to notify the Purchasing Department of an address change, to accomplish these things in a timely manner. The Bidder's Mailing List is the only reliable means of notification of bids to individual companies.

Bidders with a repeated history of not bidding in a specific category may be removed from the Bidder's Mailing List for that category at the discretion of the Purchasing Manager.

3. AVAILABILITY OF BID TABULATIONS/BID AWARD

Final award and a copy of the bid tabulation will be posted on the FCPS website:  
[www.fcps.org/bidlist](http://www.fcps.org/bidlist) after BOE approval.

4. PROPOSAL SUBMISSION

- a. Due to possible changes and/or additions to the solicitation package, FCPS encourages bidders not to submit their proposal until after the date of the pre-bid meeting. All changes will be processed through appropriate addenda.
- b. The following items must be included in submission:
  1. Proposal pages completely and accurately filled out and signed.
  2. "Minority Business Enterprise" form completed and signed.
  3. "Statutory Affidavit and Non-Collusion Certification" form completed and signed.
- c. All inner and outer envelopes and packaging, used by Fed Ex, Ups and etc., should be labeled with the Bid Name, Bid Number, and Due Date/Time. This will help assure timely receipt of proposals in the Purchasing Department. Bids not received in time due to improper labeling will be considered non-responsive.
- d. FCPS will accept all bid responses, however, only companies approved and qualified by FCPS' Purchasing Department will be considered for contract award. The Large Construction Bidders Application is available on the FCPS website at: [www.fcps.org/purchasing](http://www.fcps.org/purchasing). Applications are valid for a three year period. Completed applications may be submitted separately or included in the bid response. Pre-qualification prior to bid due date is strongly encouraged.

5. CONTRACT ADMINISTRATION

- a. The contract for playground installation will be co-administered by Jamie Hitchner, Curriculum Specialist for Health/Physical Education, Curriculum Specialist (PreK-5), and Ryan Carter, Construction Management, Project Manager II. The contract for bulk mulch purchases will be administered by Jim McKeever, Grounds Crew Foreman, Maintenance Department. Please refer all questions regarding these specifications to Billie Laughland, Buyer Specialist, [billie.laughland@fcps.org](mailto:billie.laughland@fcps.org), with the bid name and number in the subject.
- b. When a vendor other than the awarded vendor(s) is used, the contract administrator or the originator of the requisition is required to submit written justification to the Purchasing Department for review. A copy of the written justification will be retained with the purchase order or in the contract file.
- c. Additional duties and responsibilities of the contract administrator are defined in Purchasing Regulation #200-7.

6. PRICING (Modified from Original Language)

- a. All unit prices (for EWF mulch only) shall remain firm through the initial contract period.
- b. FCPS expects all vendors to provide year over year cost reductions recommendations.
- c. Price decreases are acceptable at any time, need not be verifiable, and are required should the contractor/producer/processor/manufacture experience a decrease in costs associated with the execution of the contract.
- d. Unit price adjustments from the contractor/producer/processor/manufacture for any/all items may be considered at renewal. The request is subject to approval by the Contracting Officer. The

request must be submitted in writing at least 60 days prior to the renewal term and shall be accompanied by supporting documentation.

- e. Should the awarded vendor, at any time during the life of the contract, sell materials of similar quality to another customer, or advertise special discounts or sales, at a price below those quoted within the contract, the lowest discounted prices shall be offered to FCPS.

## 7. EMARYLANDMARKETPLACE REGISTRATION

Contractors are required to register with <https://emaryland.buyspeed.com/bsa/> within five days following notice of award. Maryland law requires local and state agencies to post award notices on eMaryland Marketplace. This cannot be done without the contractor's self-registration in the system.

Registration is free. Failure to comply with this requirement may be considered grounds for default.

It is recommended that any interested bidder register with eMaryland Marketplace regardless of the award outcome for this procurement as it is a valuable resource for bid notification for municipalities through Maryland.

## 8. SCOPE AND BACKGROUND

- a. The intent of this solicitation is:

- 1) To qualify playground contractors to receive bidding documents for design, supply and installation of playground equipment during the life of the contract. Successful contractors will be notified in writing when projects become available. Names of the qualified vendors shall be provided to the FCPS construction department for inclusion in the specifications for new or renovated school construction projects; and to outside user groups, such as the PTSA.

- 2) To award a separate unit price contract to only one vendor for bulk engineered wood fiber (EWF) mulch purchased by FCPS grounds crew. Vendors who are interested in bidding only on the bulk mulch portion of this bid may do so and do not need to submit a technical proposal.

- b. Only suppliers who offer diverse apparatus from one primary equipment manufacturer and who can provide a turnkey design/supply/installed project will be considered for prequalification as a playground contractor.

- c. Any authorized mulch supplier, direct or indirect, may be considered for award of this portion of the contract.

- d. FCPS purchases playground apparatus for four student populations:

- pre-kindergarten and kindergarten area certified for ages 2-5;
- primary area geared toward students aged 5-8;
- intermediate area geared toward students aged 8-12;
- playground designed for students challenged primarily with autism-spectrum disorder.

- e. From December 1, 2009 to present, seven elementary schools received replacement of Pre-K/K, Primary, Intermediate and/or Challenges playgrounds averaging \$112,261 per project; projects included demolition and removal of old equipment, site work, supply and installation of new equipment, geotextile cloth/filter fabric, and surfacing of engineered wood fiber (EWF); and excluded fencing and entrance/egress walkways to the playground. ADA ramps and berms were only required at two sites.

- f. Bulk EWF mulch purchases for the FCPS grounds crew have averaged approximately \$22,000 per year with approximately 20 separate deliveries averaging 100 cubic yards per delivery.

9. QUALIFICATION TERMS FOR PLAYGROUND DESIGN AND BUILD SERVICES:

- a. The qualification period will be effective for a three-year period, from the date of award through July 31, 2018. The qualification period may be extended on an annual basis for two additional years at the sole discretion of the Board of Education.
- b. FCPS retains the right to utilize other contracts for demolition, concrete walkways, asphalt paths/courts and/or berms, unless otherwise specified as part of a project's scope.
- c. The services and/or materials intended for purchase are based upon future needs of the system and are pending allocation of funds. No guarantee of any work is expressed or implied. Orders will be placed only as needs arise throughout the contract period.
- d. A list of prequalified contractors also will be given to any PTSA or parent group that wishes to donate funds to build or enhance their school's existing playground. They are obligated to receive prior approval from FCPS staff before installing permanently placed equipment on FCPS property, and they may only use pre-qualified contractors.
- e. Technical specifications identifying minimum standards and design considerations are contained in Attachments 1 and 2 and shall be used by the qualified contractors as a basis for preparing actual project proposals.
- f. Annually, during the life of the contract, FCPS will accept letters of interest from prospective contractors to become qualified under this solicitation. The open enrollment period will be September 1 through September 30. Any requests received outside of the month of September will not be considered and must be resubmitted during the next open enrollment period. After FCPS completes a review of the letters of interest received during the open enrollment period, FCPS will notify the qualified firms to submit a technical proposal. Technical proposals must be received no later than 30 days from the date of notification. Contractors will be notified in writing of their qualification status no later than thirty days from receipt of their technical proposals. Contractors who become qualified during the open enrollment period will become approved contractors considered for future projects effective the upcoming January 1.

10. CONTRACT TERMS FOR BULK ENGINEERED WOOD FIBER (EWF) PURCHASES

- a. The initial term of this portion of the contract is effective for approximately three years, from the date of award through July 31, 2018, and may be renewed on an annual basis for two additional years at the sole discretion of the Board of Education. Upon submission of bid, the contractor consents to the possibility of contract renewal as a condition of award.
- b. Unit prices must be firm from date of award through July 31, 2016, only. Thereafter adjustments will be considered in accordance with the requirements of #6, PRICING, page 25.
- c. EWF mulch will be ordered in quantities of approximately 300 cu. yards per purchase order with delivery of 100 cubic yards at a time (due to limited space) to 7446 Hayward Road, 21702.
- d. Orders will be placed as needed basis through-out the year with no guarantees of quantity or dollar volume of purchase. The successful vendor will contact Jim McKeever prior to each delivery to coordinate the drop shipments. Jim can be contacted at 301.644.5152 (office); 301.745.9751 (cell) or [james.mckeever@fcps.org](mailto:james.mckeever@fcps.org).
- e. Samples may be required. If requested, they should be sent directly to Jim McKeever, Grounds Foreman, FCPS Maintenance Office, 7446 Hayward Road 21702.
- f. Technical specifications for EWF are contained in Attachment 3 and shall be used to establish the level of product quality to be used during installations.

#### 11. BONDING AND INSURANCE

- a. At the discretion of the project manager and the Purchasing Manager or designee, FCPS may require a performance and/or payment bond covering up to 100% of the contract amount for a specific project. If required, FCPS would reimburse the contractor up to (2%) of the contract amount to offset the cost of obtaining the bond. An irrevocable letter of credit, also subject to reimbursement, may be submitted in lieu of a performance bond.
- b. A properly executed Certificate of Insurance will be required for awarded projects resulting from this prequalification.
- c. See Section 14 of A. GENERAL CONDITIONS AND INSTRUCTIONS FOR SMALL CONSTRUCTION, MAINTENANCE AND MISCELLANEOUS SERVICE CONTRACTS, for types and limits of coverage required.

#### 12. MINIMUM QUALIFICATIONS FOR ELIGIBLE PLAYGROUND CONTRACTORS

**Bidders shall meet the following minimum qualifications:**

- a. Bidders may be independent dealers or manufacturers bidding directly as long as they have installers and sales representatives who reside within Maryland or the surrounding states of Virginia, West Virginia, Pennsylvania or the District of Columbia;
- b. Bidders and installers must be licensed to perform business in Maryland and have been in business for a minimum of one year;
- c. The manufacturer of the equipment being offered shall have been in the playground supply business for a minimum of three years;
- d. Bidders must have the ability to provide computerized design documents;
- e. Bidders must have a minimum bonding capacity of \$250,000 dollars;
- f. Bidders and installers, if sub-contracted, must maintain FCPS minimum insurance requirements;
- g. Bidders must have successfully completed at least one playground project with a total minimum value of \$50,000 in the last three years;
- h. Bidders must have at least three references in Maryland or the surrounding states of Virginia, West Virginia, Pennsylvania or the District of Columbia;
- i. Bidders must demonstrate to the satisfaction of FCPS that employees or subcontractors who will be used on any FCPS project are properly insured, trained and certified by the manufacturer to install and inspect their playground equipment;
- j. Bidders must have submitted to FCPS and received approval of the General Application and W-9 document prior to award. These documents are available at: [www.fcps.org/purchasing](http://www.fcps.org/purchasing).

#### 13. PROPOSAL SUBMISSION FOR PLAYGROUND DESIGN AND BUILD SERVICES

- a. Submit one written copy and one electronic copy (CD or Flash Drive) of the Technical Proposal in a sealed envelope properly marking the envelope with the bidder's name and address, and the RFP # and title.
- b. The Technical Proposal submission shall include:
  - Responses to Bidder Questionnaire
  - Statutory Affidavit and Non-Collusion Certification
  - Minority Business Enterprise Information

- Representations/Signature Page

- c. All parts of the Technical Proposal are to be completed. Points will be deducted for incomplete or missing responses, or responses that do not follow the format of the questionnaires.

**14. DETERMINATION OF QUALIFICATION STATUS FOR PLAYGROUND DESIGN AND BUILD SERVICES**

- a. A committee of FCPS staff will independently review and evaluate each technical proposal and ranking will be made on the basis of the criteria and rubric listed below. The Selection Committee may conduct interviews with any of the firms.
- b. It is FCPS's intention to approve all qualified firms for consideration of bidding on future playground projects.
- c. 100 points will be allowable for the Technical Proposal and will be assigned as follows:
 

1) Business Operations	20 points
2) Construction Procedures and Safety Compliance	35 points
3) Financial	5 points
4) Submission of all requested documents and completeness of responses	20 points
5) References for supplier and installer (if not in-house)	20 points

**15. POST QUALIFICATION PROCEDURES FOR SOLICITING PLAYGROUND DESIGN BUILD SERVICES**

- a. Contractors that have been qualified under this RFP, and any additional contractors who are prequalified during the open enrollment periods, will be sent requests for quotation when design build services are required.
- b. A committee consisting of the school principal and/or instructional supervisor, project manager, curriculum specialist for elementary physical education and health, and the purchasing agent shall evaluate the submissions and rank in accordance with a rubric that will be specified in the Request for Quotation.
- c. Recommendations for award will be submitted to the Board of Education for approval for each project.

**16. PROPOSAL SUBMISSION, EVALUATION AND AWARD FOR BULK ENGINEERED WOOD FIBER MULCH SUPPLY**

- a. Only one written copy of the Cost Proposal is required and must include:
  - Form of Proposal - Part 3
  - Material Safety Data Sheets for the product being bid
  - Statutory Affidavit and Non-Collusion Certification
  - Minority Business Enterprise Information
  - Representations/Signature Page
- b. Award will be made to the low, responsible and responsive bidder most nearly meeting the specifications contained herein.
- c. If a bidder is submitting both a technical proposal for prequalification status and a bid for bulk engineered wood fiber supply, they may include the Form of Proposal in the same package submission.

**RFP 15MISC4, PLAYGROUND DESIGN BUILD SERVICES AND  
BULK EWF MULCH SUPPLY**

**TECHNICAL PROPOSAL**

**BIDDER QUESTIONNAIRE**

This form must be completed in its entirety and the requested documents submitted accordingly. Additional sheets may be included for lengthy responses but the question or line item number must be used as reference. Extraneous marketing materials or irrelevant information is not to be submitted. If any questions do not apply to your operation, so indicate with "Not Applicable".

**1. BUSINESS OPERATIONS:**

- 1.1 What playground manufacturer do you represent?
- 1.2 How long has this manufacturer been in business?
- 1.3 How many years has your company been representing or selling this equipment?
- 1.4 Do you as the bidder perform a complete turnkey operation including full service design, supply and installation services? If not, provide the name and contact information for any sub-contractors you will use to perform each component of design, supply and installation?
- 1.5 If a third party installer, how many years have they been installing this manufacturer's equipment?
- 1.6 If a third party installer, do they perform installations for any company other than your own?
- 1.7 Do you agree to prepay freight and add the charges as part of a total project cost?
- 1.8 Describe the after warranty repair protocol and source for parts.
- 1.9 Do you agree to supply maintenance kits free of charge for awarded projects? If so, please confirm what will be included in the maintenance kit.

**2. CONSTRUCTION PROCEDURES AND SAFETY COMPLIANCE:**

- 2.1 List the ISO and IPEMA ASTM certifications for the equipment manufacturer you represent.
- 2.2 Is all your equipment CPSC and CPSIA compliant?
- 2.3 Are any of the components stamped with compliance to safety standards?
- 2.4 Whether in-house or third party, describe the training and/or certification process used by the playground manufacturer to assure proper and safe installations?
- 2.5 Installation normally occurs within \_\_\_\_\_ days of equipment availability (weather pending).
- 2.6 What is your installation sequence and protocol - i.e. do you have equipment shipped by the manufacturer directly to the site, or do you bring the equipment when you are ready to install?
- 2.7 What safety measures do you use on the construction site - i.e. safety tape or orange safety fence to segregate the work area?



- 2.8 Do you have an in-house safety inspector, or is this person an employee of the third party installer?
- 2.9 Has your company ever been terminated from a job? If yes, explain.
- 2.10 Has your company or this equipment manufacturer been party to any criminal litigation for any safety related issues in the last three years?
- 2.11 If yes, provide a brief summary of the case, whether your company and/or the manufacturer were found culpable, and what measures have been taken to correct this situation.

### **3. FINANCIALS**

- 3.1 What is the maximum amount of your company's bonding capacity?

### **4. REQUIRED DOCUMENTS**

- 4.1 Include a copy of the bidder's Maryland business license.
- 4.2 Include a copy of the bidder's current certificate of insurance evidencing compliance with FCPS requirements.
- 4.3 Include a copy of the installer's Maryland business license, if a third party.
- 4.4 Include a copy of the installer's certificate of insurance evidencing compliance with FCPS requirements, if a third party.
- 4.5 Include a copy of the warranty periods for all components of the equipment being offered.
- 4.6 Include a copy of the in-house or third party safety inspector's latest certification.
- 4.7 Include a copy of the manufacturer's equipment catalog if available. If not available in hard copy list the web address where the catalog may be viewed.
- 4.8 Include a 2D site plan for a project.
- 4.9 Include a 3D rendering for a project.
- 4.10 If you are not currently approved as an FCPS bidder, please include a completed 'General Application' and W-9 document, available at: [www.fcps.org/purchasing](http://www.fcps.org/purchasing). If you are unsure of your application status, contact Robin Underwood @ [robin.underwood@fcps.org](mailto:robin.underwood@fcps.org).

### **5. REFERENCES**

List a minimum of five playground projects completed by your company that include design, supply and installation services. References other than FCPS will be contacted and held in confidence. Note that:

- ✓ These projects must be in Maryland or the surrounding states of Virginia, West Virginia, Pennsylvania or the District of Columbia.
- ✓ They must be in the last three years.
- ✓ A maximum of three references may be with FCPS.
- ✓ At least one must exceed \$50,000 in total project value.

Reference # 1:

- Project Name:
- Location:
- Reference Contact Name:
- Phone Number and Email Address:

- Project Value:
- Installer:

Reference # 2:

- Project Name:
- Location:
- Reference Contact Name:
- Phone Number and Email Address:
- Project Value:
- Installer:

Reference # 3:

- Project Name:
- Location:
- Reference Contact Name:
- Phone Number and Email Address:
- Project Value:
- Installer:

Reference # 4:

- Project Name:
- Location:
- Reference Contact Name:
- Phone Number and Email Address:
- Project Value:
- Installer:

Reference # 5:

- Project Name:
- Location:
- Reference Contact Name:
- Phone Number and Email Address:
- Project Value:
- Installer: