

November 26, 2024

Re: Nickeus Park Inclusive Playground RFP
Interstate Engineering Project No. EC24-00-097

NICKEUS PARK INCLUSIVE PLAYGROUND REQUEST FOR PROPOSALS

GENERAL INFORMATION

The Jamestown Parks & Recreation District (Owner) is soliciting proposals from qualified playground equipment manufacturers and/or vendors (Contractor) to design, supply, and install an inclusive playground equipment for a new inclusive playground.

The project is located at Nickeus Park, 123 10th Street NW, Jamestown, North Dakota 58401. The proposed playground site is currently an open space, with a nearby restroom facility, community room/warming house, and trees. The existing facilities, structures, and vegetation will be removed, replaced, and/or incorporated to aid in the placement of the new playground.

The Owner is challenging Contractors to demonstrate their professional expertise and creativity to develop an innovative and inclusive playground design that provides physical, cognitive, social, sensory, and communicative elements to accommodate children of all abilities.

The Owner will accept separate proposals for the design of the playground area. It is the desire of the Owner to fill the space as completely as possible within the confines of the specified budgets and container size. The Contractor bidding may submit more than one design/bid proposal for the playground area to provide the Owner with alternative designs to consider. Please refer to the attached drawings (Exhibit 1) and additional scope of work information (Exhibit) 2 for additional information.

Proposals will be judged on the criteria noted in this RFP and the contract awarded to the proposer deemed to be in the best interest of the Owner. By submitting a proposal pursuant to this request, each bidder/Contractor is agreeing to this method and waives any objection to the procedure outlined in this Request for Proposal.

The Owner reserves the right to increase, decrease, and/or otherwise adjust the scope of the inclusive playground based on needs and/or adopted budget.

A. OWNER'S REPRESENTATIVE

Gordon Lemmel, PLA, ASLA

Interstate Engineering

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B. GENERAL PROPOSAL INFORMATION

- 1) Responses to the requirements should be dated and each page numbered. One (1) complete copy of each proposal, along with one (1) set of drawings for each proposal, shall be submitted to the Owner's Representative no later than **January 10, 2025, at 5:00PM (local time)**.
- 2) All questions or requests for clarification concerning this RFP should be submitted in writing to the Owner's Representative listed above. The Owner shall not be responsible for the delay in the transmission of any request for clarification or other communication. The Owner's Representative will make all questions and answers available to all interested parties.
- 3) Respondents taking exception to any part or section of this RFP shall indicate such exception on a separate page of their bid/design proposal. Failure to indicate any exceptions shall be interpreted as the respondents' intent to fully comply with all requirements as written. Explanation must be made for each item for which exception is taken, giving in detail, the extent of the exception and the reason for which it is taken for consideration to be given to the respondent.
- 4) The Owner is not responsible for any expenses or costs incurred by the proposers in connection with or in preparation for this RFP process and submitting a proposal. This includes, but is not limited to, costs associated with preparing the proposal and the playground design and in participating in any site visits.

C. SUBMITTAL REQUIREMENTS

Response packages should be sealed and labeled "Nickeus Park Inclusive Playground." The response format should follow the following outline:

- 1) Cover letter signed and dated by an authorized agent, including contact name, telephone number, and email address.
- 2) Executive summary of the bid with a line-item breakdown indicating unit prices.
- 3) Description of the Contractor's experience with inclusive playgrounds of similar size, scale, and scope, including examples from the past five (5) years with specific details and references. This may include photographs or links.
- 4) Scaled plan drawings accurately illustrating proposed equipment, safety zones, and access points of equipment within the play container. Equipment shall be in accordance with the attached plan, requirements, and specifications.
 - i. Bidders/vendors are encouraged to provide cutsheets and 3D views of the equipment layout at their discretion.
- 5) Description of product features, including a detailed listing of all play elements and major components.
 - i. Describe or otherwise indicate which play elements meet current accessibility requirements.

- 6) Description of warranty and service (must meet minimum warranty requirements, as listed in Specifications).
- 7) All-inclusive price on the bid form for furnishing and installing equipment and surfacing, including all freight, delivery, and related charges. This shall include an audit of the playground following completion of the installation for confirmation all equipment is in compliance by a Certified Playground Safety Inspector (CPSI).
- 8) Any proposal submitted that does not include the required information, as stated in this Request for Proposals, shall be deemed ineligible.

D. METHOD OF AWARD

- 1) The Owner reserves the right to reject all or some of the bid proposals or to award the bid that, in the Owner's sole discretion, it deems to be in the best interest of the Owner. The award of the bid will be based on an analysis of the following criteria:
 - i. **Qualifications & Past Experience**
Relevant experience in designing and supplying playground equipment, particularly inclusive playgrounds, for projects of similar size, scale, scope, and budget.
 - ii. **Design and Play Value**
The quality of the proposed design and the extent to which is has addressed the Owner's needs, whether stated or previously unknown, including the use of the space, size of structures, aesthetics, capacity, number of play elements, age-appropriate activities, play value, ease of supervision, creativity, variety of play, amount of universal play elements, and overall cost.
 - iii. **Specifications & Quality**
Contractor has followed all playground specifications, noted features, and included warranty requirements. The contractor shall provide a guarantee that all play elements meet all applicable and current playground safety and design standards, including but not limited to, ASTM, IPEMA, CPSC, and ADA. The Contractor has indicated quality of products (materials used, sizes/thicknesses, sustainable practices, ease of maintenance, etc.).
 - iv. **Ability to Provide Grants and/or Donations**
The Contractor's ability to provide or assist in obtaining grant funding and/or donate equipment or materials to the project.
 - v. **Cost**
The Contractor's ability to provide the best value, combining high-quality design with reasonable pricing. Budgetary estimates must align with the project's available, stated budget. Preference may be given to Contractors who can provide cost-saving measures without compromising play value or safety standards.

E. STATUS OF INDEPENDENT CONTRACTOR

Contractor is, and at all times, shall be an independent Contractor supplying the services herein mentioned. Contractor is not an agent of the Owner and is not entitled to the benefits provided by the Owner to its employees. The Owner shall have no responsibility with respect to withholding any taxes or any acquisition of health, unemployment or any

other insurance with respect to the Contractor or the Contractor's employees. Contractor specifically warrants and represents that all such items are the Contractor's responsibility as an independent Contractor rendering services herein. The Owner shall not be responsible for any of the Contractor's supplies or equipment. It is agreed that nothing in this contract is intended or should be construed in any manner as creating or establishing the relationship of co-partners between the Contractor and the Owner or as constituting the Contractor as the agent, representative or employee of the Owner for any purpose or in any manner whatsoever.

F. INDEMNITY, INSURANCE & BONDING

- 1) Indemnity, insurance and bonding shall comply with the State law purchasing policies. It will also require a certificate of insurance naming the Owner as additional insured on general liability policies during the construction.

G. GENERAL PROVISIONS

- 1) Contractor understands and agrees that failure to comply with any or all of the provisions of the Contract shall constitute an event of default of the Contract. The default shall exist at the time of the failure to comply with the provisions of the contract, whether or not either party has notice. The Owner, in addition to other legal remedies available, may, at the Owner's discretion, elect to impose any single remedy or penalty, or combination of remedies as specified elsewhere in the contract.
- 2) In the event that provisions set forth in this section conflict with any other provisions set forth elsewhere in this bid, it is agreed by all parties that the provision which is more strictly in favor of the Owner shall be the contracting provision.
- 3) The bidder/vendor shall do the following:
 - i. Review all bid specifications and familiarize themselves with the requirements of the bid.
 - ii. Provide the primary contact person during construction, following the notice to proceed by the Owner.
 - iii. Schedule the delivery, and keep the Owner informed at all times of the delivery schedule of all equipment pertaining to this system.
 - iv. Provide to the Owner all installation documentation and as-built documentation.
 - v. Inventory all equipment for this system with Owner's Representative.
 - vi. Perform or coordinate with the Owner all training requirements as described within this specification.
 - vii. Make themselves available to the Owner until final acceptance of the system. The resolution of all punch list items is the sole responsibility of the Contractor prior to final acceptance of the system.
 - viii. The Contractor shall have a professional audit of the entire playground system following installation to ensure that the equipment and materials

have been installed to the highest standards. Any deficiencies shall be corrected by the Contractor until the entire playground system successfully meets requirements, at no additional cost to the Owner.

H. SITE INSPECTION

Proposers are encouraged to visit the site to review the existing conditions but are not required.

Proposers shall satisfy themselves as to the conditions under which they will be obliged to perform the contract, if selected. Furthermore, all proposers must specify in their response any environmental conditions, space requirements, electrical power or other needs that affect the proposed design. It must be understood by the respondent that all systems and equipment must be designed to fit within the general limits of physical areas of the proposed site. It is the responsibility of the Vendor to ensure that all play equipment and safety zones will fit within the specified container once the container has been installed.

The playground container as shown shall be considered final but may be subject to modifications by the Owner as the site design is finalized. Any modifications that may affect the playground container will be identified and coordinated with the selected proposer. Any additional requirements deemed necessary by the Vendor must be so noted in the response submitted.

I. PLAYGROUND DESIGN SPECIFICATIONS

1) General

- i. All applicable products identified in the bid shall conform to all applicable ASTM guidelines and requirements.
- ii. All applicable products identified in the bid shall conform to all applicable United States CPSC guidelines and requirements.
- iii. All applicable products identified in the bid shall be IPEMA certified.
- iv. All applicable products identified in the bid shall meet current ADA guidelines for accessibility and accessible events.
- v. The Owner has set a budgetary limitation for the playground area. Accordingly, bidders shall submit their bid(s) to comply with this requirement.

2) Description & Related Documents

- i. Drawings and general provisions of the project, including general and supplemental conditions and specifications of the design-build project should be submitted.

3) Delivery, Storage & Handling

- i. Bidders shall deliver and store materials and components so they will not be damaged.

- 4) Owner's Manuals
 - i. Include one (1) complete technical/maintenance manual.
 - ii. Include one (1) complete parts manual.
 - iii. Include one (1) playground audit.

- 5) Completion Date
 - i. The playground must be usable by **October 15, 2025**, unless the cause for non-completion is the fault of the Owner or another site contract in the employ of the Owner, or uncontrollable natural occurrences.

KEY LABELS

1. PARK ENTRANCE
2. PARK EXIT
3. PARKING | 22 SPACES (18 + 4 ACCESSIBLE SPACES)
4. EXISTING WALK
5. 4-STALL RESTROOM AND FABRIC PICNIC SHELTER
6. PROPOSED INCLUSIVE PLAYGROUND
7. EXISTING KAYAK LAUNCH
8. SEATING AREA
9. EXISTING SHELTER
10. EXISTING PEDESTRIAN BRIDGE

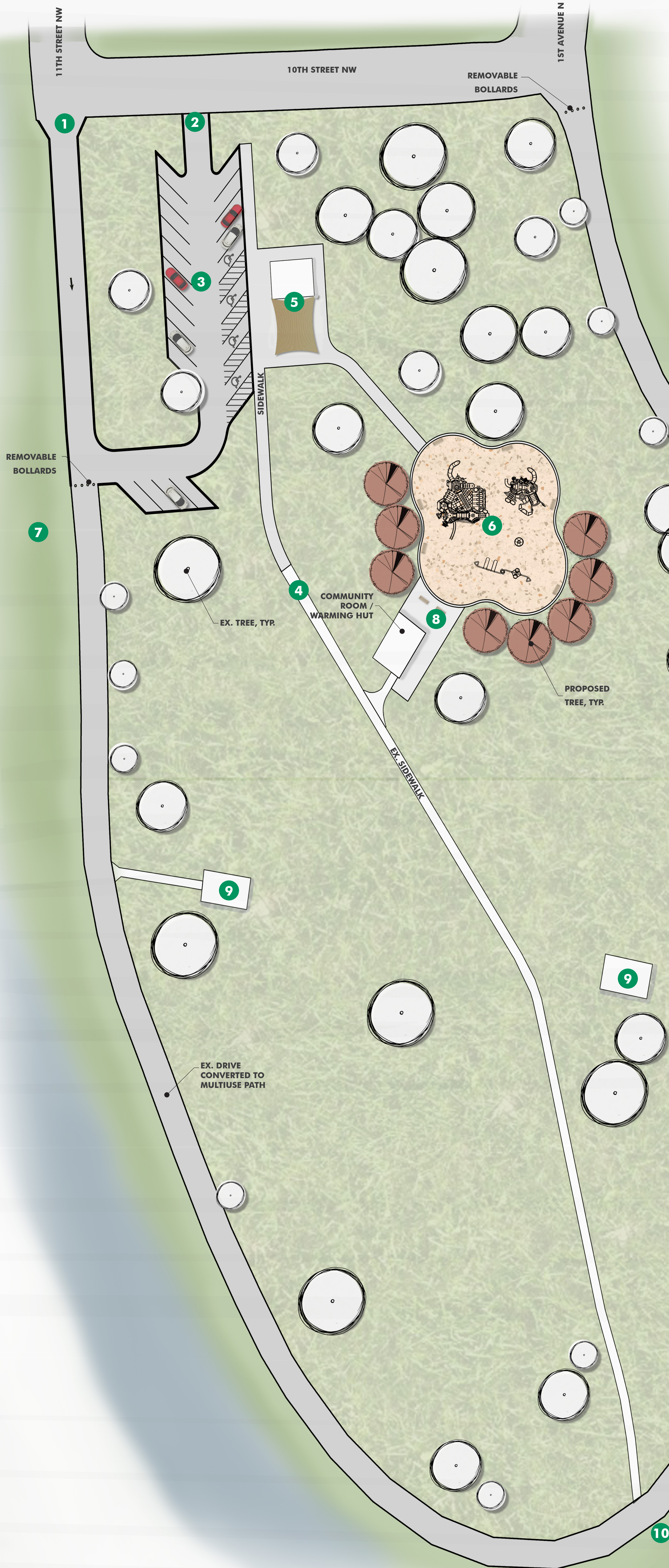


EXHIBIT 2: PLAYGROUND SPECIFICATIONS

- **BUDGET:** The total cost of playground components—including all equipment, surfacing, materials, installation, warranties, delivery, and taxes—shall not exceed **\$475,000**. Proposals under this budget are encouraged and will be considered.
- Play structures must fit into the footprint indicated container area and all safety zones must maintain a minimum 12-inch clearance from all adjacent borders.
- The attached graphics are for illustrative purposes only and the Contractor may obtain digital information for the site from the Owner's Representative. It is the responsibility of the Contractor to verify actual site conditions and to ensure all play equipment and safety zones fit within the specified containers at time of installation. This shall be considered incidental to the contract.
- Contractors for the playground equipment will be allowed to submit multiple designs, if desired.
- **General Design Approach:** It is the Owner's desire that the proposed equipment fit the following design approach, at minimum:
 - Proposer may submit multiple designs for consideration.
 - It is the Owner's desire to have a playground that is unique to the area and provides quality play value and experiences.
 - It is the Owner's desire to have a playground that meets varying abilities, challenge levels, and accounts for sensory experiences. Components should consider each of the following types of play:
 - **Active Play** includes running, jumping, swinging to and fro, rolling, reaching, climbing, spinning, and balancing. Active play moves the user's body up, down, and around. Examples include swings, see saws, climbers, stepping pods, upper body equipment, rotating equipment, etc.
 - **Passive/Reflective** play includes watching, resting, thinking, and day dreaming. Examples may include activity panels, creative seats, domes, nooks, etc.
 - **Creative play** includes equipment that fosters creative expression and encourages children to communicate and connect and provide an opportunity for discovery. Examples may include musical equipment, creative play panels, alphabet panels, tic tac toe, etc.
 - **Social Play** includes opportunities for talking, sharing, taking turns, team play, following the rules, etc. The design should include space for users to congregated and transition between different play components.
 - **Sensory Play**
 - Sight (Vision) – Playgrounds can be colorful and vibrant and natural, but they should be visually interesting. Playground

design and color selection shall provide contrast in light and shadow for the visually impaired. There should be a variety of shapes, layers, words, and letters. Playgrounds shall provide the opportunity for the user to track movement with eyes and learn to filter and distinguish necessary versus unnecessary information.

- Sound (Auditory) – Sound is the perception of differing vibrations. Different materials allow the brain to interpret and recognize tones in low and high range stimuli.
 - Touch (Somatosensory) – Touch is the perception of differing textures and pressures. Playgrounds shall provide components that elicit a reaction as a result of touch.
 - Balance (Vestibular) – Balance registers acceleration, g-force, and body movements and head position. It includes the body position relative to gravity and movement. The balance of auditory and visual processing related to balance, attention, eye control, and coordination. Play equipment shall encourage reach, with intermediate steps and handrails, and provide transitions of varying heights.
 - Body Awareness (Proprioception/Kinetic) – Body awareness is how bodies are positioned in space, their proximity to equipment and other users, and the strength and effort needed for the movement. Playgrounds shall provide graduated challenges that can be continuously changing and provide opportunities for growth. This is similar to vestibular, but it includes relationship between energy and body parts. The need is for jumping, grasping, opening, and closing.
 - Temperature – The material selection, relationship to sun and wind, and placement of playground equipment contribute to the experienced temperature on the playground. Temperature is tied to safety, comfort, and the sense of touch. Design and component selection shall avoid metal slides and swings shall be oriented, so the user is not looking into the sun while swinging. The Vendor shall coordinate with the Owner and Project Designer on providing both natural and artificial shade to the users.
- The Owner has no specific color palette or style requirements for the proposed equipment. The Owner reserves the right to request changes to the color palette or style of the equipment and will work with the selected bidder on identifying cost implications, if any.
 - The selected bidder shall coordinate with the Owner and Project Design Team coordinate the playground design with the overall site design to better meet the needs and desires of the Owner for a quality play experience, with the understanding that the modifications are to fit within the stated budget. Any requested modifications that may exceed the original budget shall be noted by the Contractor.

- The Owner reserves the right to request up to one (1) additional modification of the playground design by the selected proposer to better meet the needs and desires of the Owner for a quality play experience, with the understanding that the modifications are to fit within the stated budget. Any requested modifications that may exceed the original budget will include a revision to the agreement to account for cost increases, at the Owner's expense.
- Playground Equipment Components: Playground components shall include the following:
 - Swings to include at a minimum a two standard belts, a toddler bucket, and an accessible swing.
 - Preschool play to include a primary structure or play components meeting the needs of those 5 years of age or younger. Include a minimum of one sliding event for this age group.
 - Elementary play to include a primary structure or play components meeting the needs of those generally 5 to 12 years of age. Some unique or challenging components are desired for this age group.
 - Play structures to provide integrated shade.
 - Include an independent play pieces or identification of play features that provide more all-inclusive play benefits.
 - Identification of elements meeting varying sensory needs
 - The playground area shall include signage with information that is appropriate to the structure / area. If signage includes photos of individuals, the photos must include a diverse group of individuals.
 - A tool kit for fasteners, a parts manual, and touch up paint kit for all structure colors from the supplier must be provided.
- Structure must meet all applicable ASTM, CPSC, and IPEMA guidelines for safety and ADA accessibility requirements. Contractor must supply a table that indicates how the playground meets the current ADA requirements for accessible events and must conduct a playground audit upon completion of installation.
- The Project Design Team will coordinate with the selected bidder to finalize the playground container layout and to prepare the site and subgrades accordingly. The playground containers will be prepared to subgrade elevation by a site Contractor under a separate contract. The playground equipment Contractor must coordinate all equipment installation work with work being completed by others and will not be allowed to delay any work being completed by the site Contractor.
- Resilient Surfacing:
 - The entire surface of the play area is to be poured-in-place (PIP) play surfacing, or an approved equivalent fall attenuation material.

- It is the responsibility of the Contractor to repair and replace any damage done during the installation, either to the equipment, surfacing, or work by others. All final work shall be in new condition. This shall be considered incidental to the contract.
- Play equipment must meet the minimum warranty requirements. All warranty information shall be submitted with the design submittals.
 - Three (3) year limited warranty on all cables/ropes, swing seats and hangars.
 - Ten (10) year limited warranty on all concrete/GFRC products, signage or printed graphics, and fabric products.
 - Fifteen (15) year limited warranty on all platforms, decks, posts, hardware, steel, aluminum and plastic components.