

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: PARKS & RECREATION

AGENDA DATE: SEPTEMBER 9, 2008

CONTACT PERSON/PHONE: TERRENCE FREIBURG, RICHARD GARCIA

DISTRICT(S) AFFECTED: 5
PURCHASING MANAGER, 541-4313

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Request that the Purchasing Manager for Financial Services be authorized to issue a Purchase Order to Landscape Structure Inc., a contractor under U.S. Communities Government Purchasing Alliance, Contract No. 040377 for procurement of playground equipment for Salvador Rivas Park. Participation by the City of El Paso in the U.S. Communities was approved by Mayor and Council on July 5, 2006. Award amount \$55,901.75

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

The Neighborhood Association was involved in the concept planning of the Park and selected this playground equipment to be a part of the Park because of its uniqueness and the physically challenging nature of the structure

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Yes

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

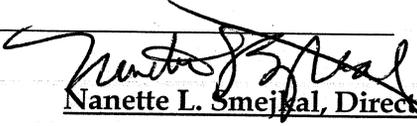
508009/27263/PCP08PA01/99331117

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD:  _____
Nanette L. Smejkal, Director

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

PROJECT FORM

DATE: September 2, 2008

PROJECT: Playground Equipment
REFERENCE NO: 2009-025
DEPARTMENT: Parks & Recreation
BUDGET NO: 99331117 – 508009 – 27263 – PCP08PA01
FUNDING SOURCE: Parks Proportionality Furniture & Fixtures,
FY2006 CO's

REPRESENTATIVE DISTRICT(S): 5

RECOMMENDATION: Vendor: Landscape Structures Inc.
Minneapolis, MN
Item(s): Playground Equipment
Total Award: \$55,901.75

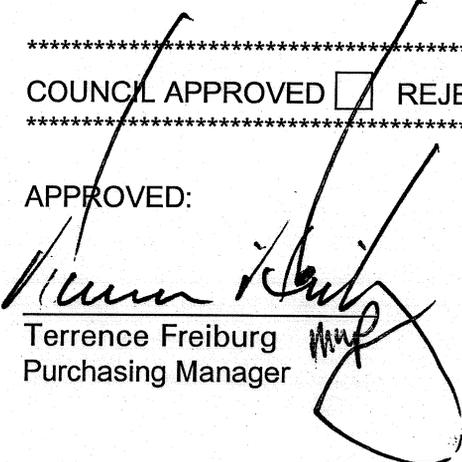
Request that the Purchasing Manager for Financial Services be authorized to issue a Purchase Order to Landscape Structure Inc., a contractor under U.S. Communities Cooperative Purchasing Alliance, Contract No. 040377 for procurement of playground equipment for Salvador Rivas Park. Participation by the City of El Paso in the U.S. Communities was approved by Mayor and Council on July 5, 2006.

TOTAL RECOMMENDED AWARD: \$55,901.75

COUNCIL APPROVED REJECTED MUNICIPAL CLERK _____

APPROVED:

COUNCIL MEETING DATE: September 9, 2008


Terrence Freiburg
Purchasing Manager

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

PARKS AND RECREATION DEPARTMENT

The following are the decision factors to be considered in determining whether utilizing a procurement program is the best approach to the purchase of a product (as approved by City Council on June 24, 2008). They are addressed in light of the proposed utilization of US Communities Cooperative Program contract number 040377 (Park & Playground Equipment) to issue a \$ 55,901.75 purchase order to Landscape Structures Inc. for play structure and installation of equipment in Salvador Rivas Park.

1. *Is there an urgent need for the product/service? In other words, is time of the essence?*

Yes, construction has commenced.

2. *Does the purchase through the Program promote the standardization of equipment?*

Yes, the City is moving toward establishing playground equipment standardization. Landscape Structures. is a certified vendor. Neighborhood Improvement Project funds are being used for equipment.

3. *Does the purchase through the Program support local business? No If not, is there a comparable product/service available locally?*

No, not that meets the standardization we are trying to establish.

4. *Do the available vendors have prior work experience and/or familiarity with the City?*

Yes, we have purchased from Landscape Structures in the past.

5. *Is the pricing reasonable as compared to other similar products/work performed for the City of El Paso in the past or as quoted from other companies?*

Yes, pricing is comparable and reasonable as compared to the following quotes:

- *US Communities Contract - \$55,901.75*
- *TASB Buy Board Contract - \$57,891.00*
- *GSA Federal Contract - \$56,053.88*

The Parks and Recreations Department recommends utilizing US Communities Purchasing Cooperative Program contract number 040377 (Park & Playground Equipment) to issue \$ 55,901.75 purchase order to Landscape Structures for all the above reasons.

The participation by the City of El Paso in the US Communities Cooperative Program was approved by Mayor and City Council on February 27, 2007.

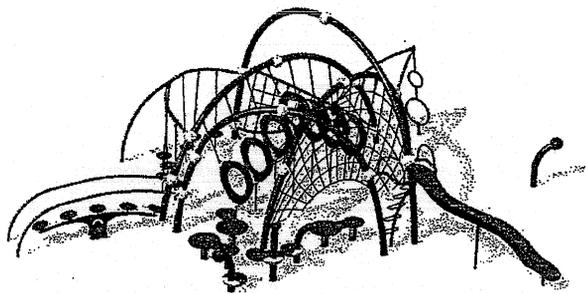
Sincerely,

Nanette Smejkal
Director, Parks and Recreation

Cc. L. Wilson



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15018249-1-2	3/12/2008			



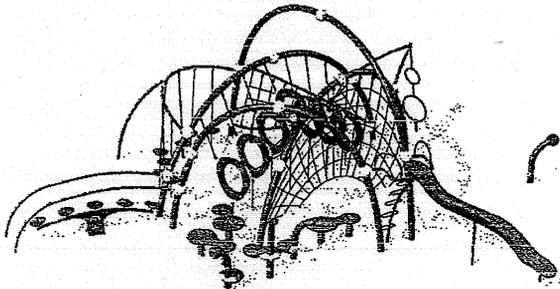
TIERRA DEL ESTE #1 - PH				
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CHARLOTTE

PLAYGROUND EQUIPMENT CONTRACTS Solicitation Summary

Background

In the Spring of 2003, U.S. Communities Government Purchasing Alliance selected Charlotte-Mecklenburg Procurement Services as a Lead Public Agency to solicit proposals from qualified companies to enter into a Master Agreement to provide a complete line of Park and Playground Equipment, Surfacing Materials, Site Furnishings and related services including, but not limited to, installation, layout, design and inspections.

U.S. Communities is a non-profit public benefit corporation established by government to provide a national purchasing forum for public agencies nationwide. U.S. Communities is jointly sponsored by the National Institute of Governmental Purchasing (NIGP), the National Association of Counties (NACo), the National League of Cities (NLC), the Association of School Business Officials International (ASBO), and the United States Conference of Mayors (USCM). U.S. Communities has a multi-state Advisory Board consisting of representatives from public agencies and associations including John Trunk, Charlotte-Mecklenburg Procurement Services Director.

By providing a comprehensive and competitively solicited Master Agreement through a single bid process, government agencies, school districts, and institutions of higher education or authorities in all fifty (50) states can utilize the subsequent contract without the need for further solicitation.

Combining the volumes of government agencies nationwide achieves cost effective pricing and reduces the administrative and overhead costs of suppliers and government agencies alike. All suppliers awarded contracts must sign a commitment that the U.S. Communities pricing is the lowest available to local agencies nationwide and a further commitment that, if an agency is eligible for lower pricing through a state, regional or local contract, the supplier will match the pricing under U.S. Communities.

All contracts let through U.S. Communities are convenience contracts and do not preempt public agencies from using other contract vehicles or competitive processes as required by individual state law.

Solicitation Process

A Request for Proposals (RFP) was issued in accordance with NC State Statutes (G.S. 143-129) on 4/21/03.

- We advertised the solicitation in the Charlotte Observer (copy enclosed) and posted on the NC Interactive Purchasing System website at: www.ips.state.nc.us.
- A Pre-proposal conference was held to review specifications and allow the suppliers to ask questions pertaining to the bid process or specifications. (Although law does not require a pre-bid/proposal, it is our practice to conduct pre-proposals. We actually scheduled a second pre-proposal meeting to encourage corporate representatives versus local distributors to attend so we could adequately prepare a competitive and comprehensive proposal that would work nationwide.
- We received seven (7) sealed proposals in response to the RFP from the following:
 - Gametime
 - Landscape Structures
 - Little Tikes
 - Playworld
 - Castle Rock

- Kids Play
- Play USA
- Proposals were evaluated over a two-week period and the four (4) top ranked suppliers were interviewed.
- A recommendation was made to the Board of County Commissioners, which was approved at a regularly scheduled Board meeting on September 16, 2003 (copy of Board approval enclosed).

Evaluation of Proposals

Using the RFP procurement method allowed us to consider factors other than price and to award contracts to the firms whose proposals were the most advantageous to public agencies. Our recommendation to the Board was based on the following criteria:

- Quality & extensiveness of the product lines offered;
- Company history, annual sales, Dun & Bradstreet;
- Design and installation qualifications;
- Pricing and discount structures;
- Product warranties;
- National distribution network;
- Marketing plans;
- Value added services; and
- Compliance with requirements of the RFP.

The evaluation team consisted of local Park Planers, Procurement staff and Procurement Officials/US Communities Advisory Board members from:

- Wichita Public Schools, KS;
- LA County Schools, CA;
- Detroit Public Schools, MI; and
- Harford County Schools, MA.

It was determined that multiple awards were necessary to ensure that these contracts will allow US Communities to fulfill current and future requirements of the diverse and large number of participating public agencies. The requirements of Public parks and school systems often vary and some agencies choose to standardize their equipment. The evaluation team unanimously agreed that the three (3) best proposals were submitted by:

- Little Tikes Commercial Play Systems;
- Landscape Structures, Inc.; and
- GameTime.

Each supplier has unique product lines and offered slightly different pricing structures as well.

Little Tikes (Play Power Farmington LT, Inc as of September 1, 2004)

- ❖ Little Tikes contract includes variable percentage discounts that are based on dollar volume per product level.
- ❖ Little Tikes also offers rebates based on annual expenditures.
- ❖ Fees for installation services are included or can be contracted separately on a local basis for this particular contract. A list of approved/certified installers is included in the contract.

Landscape Structures, Inc.

- ❖ Landscape Structures offered a fixed 6% discount off all published prices with an additional 2 % discount for single orders over \$80,000.
- ❖ Their contract includes installation fees based on a percentage of the equipment cost with a not to exceed amount per state. The work will be performed by local Landscape Structure certified installers and can be arranged through Landscape Structures or directly with the local installer of the agency's choice.
- ❖ Landscape offers a lease purchase program through GE Capital to give agencies a financial option during times of budget constraints.

GameTime

- ❖ GameTime offers a variable percentage discount per product category with an additional 10% discount for orders of \$75K to \$150.
- ❖ For orders greater than \$150K there is an additional 15% discount.
- ❖ Gametime offers turnkey packages that include installation, safety inspections and all other necessary services. The services are based on a percentage of equipment prices and vary per product category and/or state.

Benefits of Master Agreements

- The contracts are with three of the industry leaders in playground equipment manufacturing.
- They each offer a full range of playground equipment and services with:
- Unique and innovative products;
- Age appropriate products;
- Quick ship orders;
- Replacement parts; and
- Design, layout, maintenance and safety inspection services.
- Each company is certified by the International Play Equipment Manufacturers Association (IPEMA) as well as their products, and complies with ASTM and Americans with Disabilities Act (ADA) standards.
- All three contracts include a network of professional field representatives at your service.
- A pricing commitment that the US Communities Agreement is the lowest available pricing to public agencies nationwide and further commit that if a government agency is eligible for lower pricing through a state, regional or local contract, the supplier will match the pricing under US Communities.

Approved on a Page 13
Sept 16, 2003

Mecklenburg County Board of Commissioners
Action Item
September 16, 2003

Subject: Park and Playground Equipment and Related Commodities

ACTION: Approve requirement contracts for the purchase of park and playground equipment, surfacing, site furnishings and related commodities in the combined estimated annual amount of \$250,000 for a term of five (5) years to the following manufacturers.

Little Tikes, Inc.	Farmington, MO
GameTime, Inc.	Fort Payne, AL
Landscape Structure, Inc	Delano, MN
Playworld Systems	Lewisburg, PA

Staff Contact: Karen Ruppe, Procurement Services

Presentation: Yes ___ No X

BACKGROUND/JUSTIFICATION: Mecklenburg County Park and Recreation currently maintains over 175 public parks ranging from small neighborhood parks to large district parks. It is essential that all playground equipment purchased for these parks be in compliance with all ASTM, ADA and CPSC standards and other applicable laws and requirements of North Carolina. Each playground is custom built to fit the needs of the location with emphasis on (a) encouraging interaction among children with or without disabilities; (b) providing equipment that is safe for all children; (c) allowance for ease of access to the different components and areas of the play equipment; (d) group compatible play types; and (e) designs which separate conflicting play types.

PROCUREMENT BACKGROUND: Charlotte-Mecklenburg Procurement Services issued a Request for Proposals (RFP) to provide Park and Playground Equipment and related commodities to support the County Park and Recreation Department. Charlotte-Mecklenburg Schools has received approval to utilize these contracts and therefore also participated in the procurement process.

U.S. Communities Government Purchasing Alliance selected Charlotte-Mecklenburg Procurement Services as a Lead Public Agency to solicit proposals from qualified companies to enter into a Master Agreement to provide a complete line of Playground Equipment and related commodities and services on a national level. Combining the volumes of government agencies nationwide achieves cost-effective pricing and reduces the administrative and overhead costs of suppliers and government agencies alike. All suppliers awarded contracts must sign a commitment that the U.S. Communities pricing is the lowest available to local agencies nationwide and a further commitment that, if an



agency is eligible for lower pricing through a state, regional or local contract, the supplier will match the pricing under U.S. Communities.

By providing a comprehensive and competitively solicited Master Agreement through a single bid process, government agencies, school districts, and institutions of higher education or authorities in all fifty (50) states can utilize the subsequent contract without the need for further solicitation. The Master Agreement shall be interpreted in accordance with and governed by the laws and the applicable policies of the State and locality where the participating agency exists.

Seven (7) proposals were received in response to the RFP and evaluated by a local and national team consisting of Mecklenburg County Park and Recreation, Procurement Services and CMS staff, procurement officials from LA County, Detroit County Schools, Wichita County Schools and the City of Baltimore.

Price was only one criterion. The other factors included in the evaluation were the quality and extensiveness of product lines offered, warranties, design and installation qualifications, compliance with the technical and business qualifications and the ability of the manufacturer to distribute and market to all fifty (50) states.

Multiple awards are recommended to ensure availability of a full range of products required to fulfill current and future requirements of the diverse public and elementary parks and large number of participating public agencies. To accommodate some standardization requirements of CMS, Playworld Systems is recommended for approval of a Mecklenburg County contract, but did not meet the requirements for a national contract.

POLICY IMPACT: None

FISCAL IMPACT: Appropriations for acquisitions already included in budget.

	Current Fiscal Year Impact	% Funding	Next Fiscal Year Impact	% Funding	New Positions FT PT
Federal					
State					
Other*					
County					
Capital Project					
TOTAL					

MUST BE COMPLETED IF FUNDING IS INVOLVED

ATTACHMENT(S): Description