

**INVITATION TO BID
PLAYGROUND EQUIPMENT INSTALL
COMMUNITY PARK
Issued: 6/30/21**

The City of Pendleton, Oregon, is conducting an informal bid process for installation of play equipment at Community Park located at 1000 SW 37th St. This bid is for assembly and installation of the play equipment only. The City will have performed any necessary ground leveling prior to the contractors arrival on site. Following the contractor's installation of the play equipment, the City will complete the install of the fall surfacing and the protective border surrounding the playground.

Project Background

In Spring of 2019 McKay Creek experienced a significant flood event that caused extensive damage to the neighboring properties including Community Park. Large areas of the park were underwater including one of the sets of play equipment, that ended up directly in the path of significant flow. Following the event, the decision was made that the equipment should be moved away from the creek, and into an area of the park unlikely to be badly affected if another flood event were to occur. Therefore, City staff carefully removed the play equipment in sections and stored it in the tennis court area immediately adjacent to the new location of the playground.

Bids will be received by the City of Pendleton c/o Liam Hughes, Parks and Recreation Director, City of Pendleton, 865 Tutuilla Road, Pendleton, OR 97801 until **3:00 pm local time on the 15thth day of July, 2021**, plainly marked "**Community Park Playground Equipment Install**". **Bids submitted after the above-specified date and time shall not be received or opened.**

If this Bid exceeds \$50,000 bidders must comply with ORS Chapter 279C requirements and all contractors are required to pay applicable prevailing wage rates in effect on July 1, 2020, for all work on-site, as stated in the Prevailing Wage Rates for Public Works Contracts in Oregon published by the Oregon Bureau of Labor and Industries (see www.oregon.gov/boli). Oregon Bureau of Labor and Industries wages are those in effect at the time the bid specifications are first advertised.

Each bidder must identify whether they are a resident bidder as defined in ORS 279A.120. (Preference for Oregon goods and services)

Nonresident Bidders: ORS 279A.120(3) states: "When a public contract is awarded to a nonresident bidder and the contract price exceeds \$10,000, the bidder shall promptly report to the Department of Revenue (DOR) on forms to be provided by the department the total contract price, terms of payment, length of contract and such other information as the department may require before the bidder may receive final payment on the public contract. The contracting agency shall satisfy itself that the requirement of this subsection has been complied with before the contracting agency issues a final payment on a public contract." For information about DOR requirements, contact: <http://www.oregon.gov/DOR>

Specifications

- Equipment to be installed is already on site, and is in used condition as it was previously installed on site.
- Installation guides for the equipment are available.
- Additional information may be available by the manufacturer upon request.

Selection Criteria

The City of Pendleton will choose the contractor it believes will best serve its purposes. Factors used in the selection process will include but are not limited to:

- Price
- Experience
- Qualifications
- References

Contractors should supply any documents they deem necessary to demonstrate their qualifications and experience with this type of installation project along with at least three references for other playground installation projects. (not to exceed 5 total pages).

ORS Requirements (if contract qualifies for prevailing wage rules)

To comply with rules set forth in the ORS the following must be present in any final contract between the City and Contractor:

- A provision that all contractors, subcontractors and non-construction companies (non-CCB licensed subcontractors) working on public works projects, with a contract price that exceeds \$100,000, subject to the Prevailing Wage Rate law must file a \$30,000 Public Works Bond with the Construction Contractor's Board before starting work on the project, unless exempt, to be used exclusively for unpaid wages determined to be due by BOLI .{ORS 279C.830 and ORS 279C.836}
- A provision that requires the contractor to include in every subcontract a provision requiring the subcontractor to have a public works bond filed with the Construction Contractors Board before
- A provision that workers must be paid not less than the applicable prevailing rate of wage in accordance with ORS 279C.838 and 279C.840. ORS 279C.830(1)(c); OAR 839-025-0020(5)(a)
- A provision that if the contractor fails to pay for labor and services, the agency can pay for them and withhold these amounts from payments to the contractor. ORS 279C.515; OAR 839-025-0020(2)(a)
- A provision that the contractor must pay daily, weekly, weekend and holiday overtime as required in ORS 279C.540. ORS 279C.520(1); OAR 839-025-0020(2)(b)
- A provision that the employer must give written notice to the workers of the number of hours per day and days per week they may be required to work. ORS 279C.520(2); OAR 839-025-0020(2)(c)
- A provision that the contractor must make prompt payment for all medical services for which the contractor has agreed to pay, and for all amounts for which the contractor collects or deducts from the worker's wages. ORS 279C.530; OAR 839-025-0020(2)(d)

Liability and Indemnity:

- a. Indemnification. Contractor shall indemnify and defend City from, and reimburse City for, any cost, claim, loss, or liability suffered directly or from a third-party claim arising out of or related to any negligent activity of Contractor in the execution of this contract. City shall have no liability to Contractor for any injury, loss, or damage caused by Contractor or third parties.
- b. Liability Insurance. Before beginning execution of the contract, Contractor shall obtain and thereafter during the term of the contract shall continue to carry the following liability insurance at Contractor's cost: comprehensive general liability insurance in a responsible company with limits of not less than \$300,000/\$500,000 for injury to one person, \$500,000 for injury to two or more persons in one occurrence, and \$100,000/\$500,000 for damage to property. Such insurance shall cover all risks arising directly or indirectly out of Contractor's activities. Such insurance shall protect Contractor against the claims on account of the obligations assumed by Contractor and shall name City as an additional insured. Certificates evidencing such insurance and bearing endorsements requiring 10 days written notice to City before any change or cancellation shall be furnished to City before Contractor begins execution of the Contract.

Deadlines

Please submit proposals in writing to City of Pendleton, Attention Liam Hughes, 865 Tutuilla Rd, Pendleton Oregon, by **3:00 pm local time, Thursday, July 15th, 2021.**

The City desires to have the playground installed before **October 20th, 2021.** Please include in your bid if your company expects to be able to meet this deadline.

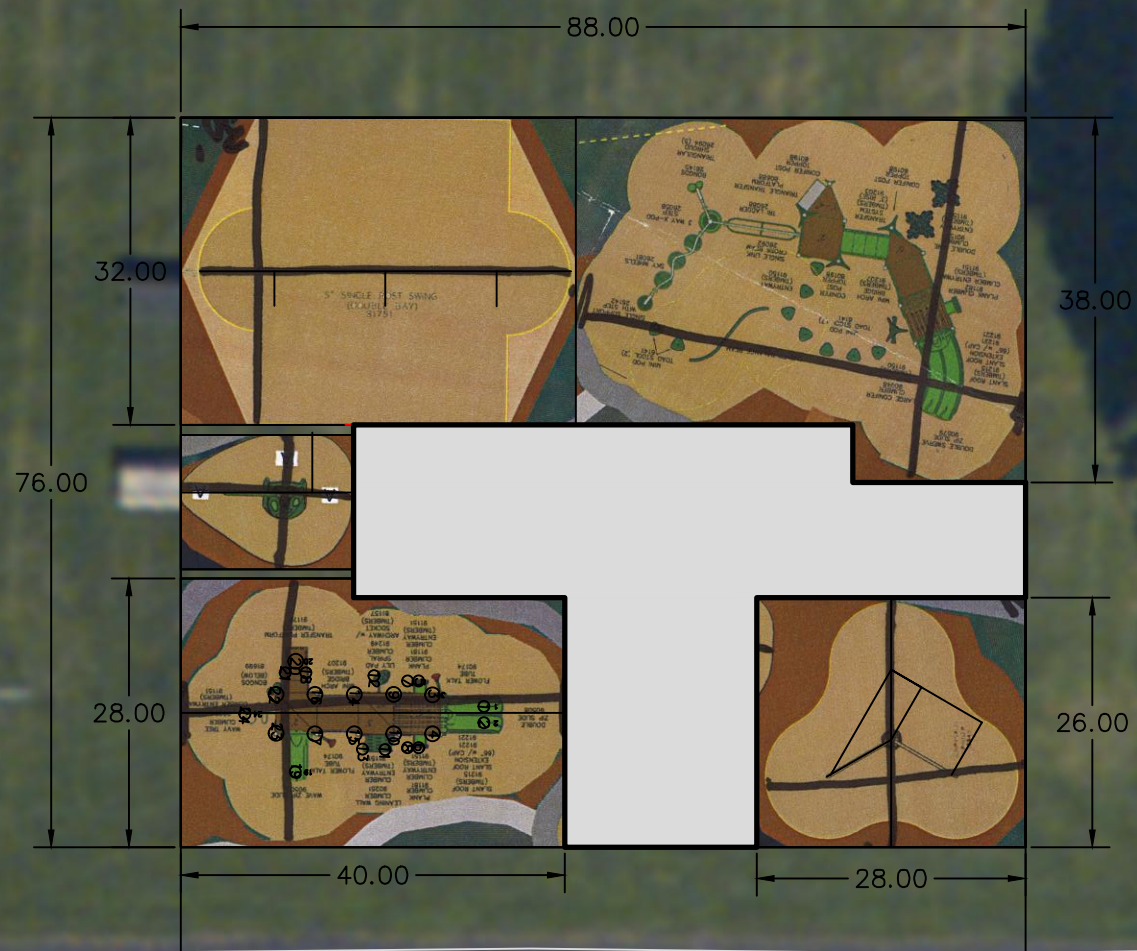
The City reserves the right to accept that proposal which is in the best interest of the City of Pendleton, Oregon and to postpone the award of the Contract for a period not to exceed thirty (30) calendar days.

Questions

Contractors are encouraged to forward any clarifying questions to:

Liam Hughes
Parks and Recreation Director
City of Pendleton
865 Tutuilla Rd
Pendleton, OR 97801
541-276-8100 Liam.Hughes@ci.pendleton.or.us

Total Area = 6,688 sf
Concrete Area = 1672 sf
Rubber Mat Area = 5,016 sf



Scale 1" = 20'