



REQUEST FOR PROPOSAL

SPLASH PAD DESIGN AND INSTALLATION

COUNTY OF WARREN, VIRGINIA



The County of Warren is seeking proposals from qualified contractors to design and install a splash pad in the Dr. Saul Seide Memorial Gardens located at 200 East 8th Street, Front Royal. Submittals consisting of the original proposal and ten (10) additional copies marked **Splash Pad Design and Installation** will be received no later than **2:00 p.m. on April 12, 2019** either in person, via regular mail by US Postal Service, or by special courier service to:

County of Warren
County Administrator's Office
220 North Commerce Avenue
Suite 100
Front Royal, Virginia 22630

This Request for Proposal (RFP) and any addenda are available on the County of Warren website at: www.warrencountyva.net/procurement-opportunities.

Any proposal received after 2:00 p.m. on April 12, 2019, whether by mail or otherwise, will be returned unopened. The time of receipt shall be determined by the clock in the County Administrator's Office. Proposals shall be placed in a sealed, marked envelope with the RFP title. Offeror(s) are responsible for ensuring their proposal is stamped by Administration Office personnel by the deadline indicated. Proposals may not be submitted by facsimile or email.

Submittals received by the due date will be reviewed by a Selection Committee comprised of County staff in accordance with the evaluation criteria set forth herein and County objectives and policies. The Selection Committee will evaluate each proposal using a numerical scoring system and make a recommendation to the Board of Supervisors based on the best evaluation and negotiation of price and experience.

Nothing herein is intended to exclude any responsible individual or business or in any way restrain or restrict competition. On the contrary, all responsible individuals and businesses are encouraged to submit proposals. The County of Warren reserves the right to reject any and all proposals, to waive technicalities, informalities, or irregularities, to request clarification, and to accept any proposal deemed to be in the best interest of the County. The awarding authority for this contract is the Warren County Board of Supervisors. Questions concerning this Request for Proposal should be directed to Dan Lenz, Director of Parks and Recreation, at dlenz@warrencountyva.net or (540) 635-7750.

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I. PURPOSE AND GENERAL INFORMATION:

The 3.5 acres of the Dr. Saul Seide Memorial Garden Park has long been identified for improvements in the Warren County Parks and Recreation Facilities Master Plan. The Master Plan specifies future proposed improvements to the property that examine community needs.

The Park's current lighted water fountain is over forty (40) years old, and is beginning to look unsightly and worn down. The fountain has drawn visitors to the Park, but the numbers have decreased over the past several years. Park technicians are making repairs several times a year over the course of the operating season which runs from April through September.

The Parks and Recreation Department recommending that a splash pad be designed and installed at Dr. Saul Seide Memorial Garden Park due to the current and rising usage of the park system by the residents of Warren County and the Town of Front Royal, as well as visitors to the area. Installation of a splash pad will provide citizens with a new form of outdoor recreation that is currently unavailable in our community, as well as encourage citizens to participate in outdoor recreation in Warren County rather than traveling to other localities for this feature. To maximize the potential of the splash pad, it is centrally located at an existing park adjacent to the Raymond E. Santmyers Youth Center, has access to ample parking areas, restrooms, picnic areas, and is just a short stroll to a second park system, athletic fields, and Bing Crosby Stadium.

The County will provide potential bidders an opportunity to survey and inspect the location and to meet with County Parks and Recreation staff. Interested parties may contact Dan Lenz at (540) 635-7750 or dlenz@warrencountyva.net for additional information.

- A. The purpose and intent of this (RFP) is to solicit proposals.
- B. The successful Offeror(s) shall have familiarity with splash pad design and installation and regularly engage in these services.
- C. The basis of the contract form will be provided by the County.
- D. The services described herein require splash pad design and installation experience and expertise.

II. COUNTY RESPONSIBILITIES:

The Director of Parks and Recreation shall be the primary contact for the County in the administration of the contract.

III. CONTRACT AWARD SCHEDULE:

If the proposal evaluation and review are performed in a timely manner, the following schedule details the dates for the initial proposal/interview/contract portions of the project:

- March 29, 2019: Request for proposal distributed
- April 12, 2019: Deadline for written proposals
- April 15, 2019: Evaluation of written proposals to begin
- May 7, 2019: Award of contract and notice to proceed
- July 31, 2019: Work completion

IV. GENERAL CONTRACT TERMS AND CONDITIONS:

A. Award of Contract:

1. The County reserves the right to reject any and all proposals and to waive any informality.
2. The successful Offeror(s) shall, within fifteen (15) calendar days after prescribed documents are presented for signature, execute and deliver to the Warren County Administrator's Office the contract form and any other forms or bonds required by this RFP.

B. Collusion:

By submitting a response to this RFP, the Offeror(s) represents that in the preparation and submission of this proposal, said Offeror(s) did not, either directly or indirectly, enter into any combination or arrangement with any person, Offeror(s) or corporation or enter into any agreement, participate in any collusion, or otherwise take any action in the restraint of free, competitive bidding in violation of the Sherman Act (15 U.S.C. Section 1) or Sections 59.1-9.1 through 59.1-9.17 or Sections 59.1-68.6 through 59.1-68.8 of the Code of Virginia.

C. Controlling Law; Venue:

This contract is made, entered into, and shall be performed in the County of Warren, Virginia, and shall be governed by the applicable laws of the Commonwealth of Virginia. Any dispute arising out of the contract resulting from this RFP, its interpretations, or its performance shall be litigated only in either the General District Court or Circuit Court of the County of Warren, Virginia.

D. Default:

If the successful Offeror(s) is wholly responsible for failure to construct the splash pad as contracted, the County may consider the successful Offeror(s) to be in default. In the event of default, the County will provide the successful Offeror(s) with written notice of default, and the successful Offeror(s) will be provided twenty (20) calendar days to provide a plan to correct said default.

1. If the successful Offeror(s) fails to cure said default within twenty (20) days, the County may terminate the contract.

E. Exceptions to the RFP or Contract:

Any exception to any provisions of this RFP or contract shall be explicitly identified in a separate "Exceptions to RFP or Contract" section and included with the proposal submission. Exceptions will be resolved to the satisfaction of the County before any contract negotiations. In the case of any conflict between the RFP, the contract, or any other contract document, the RFP shall control unless the contract or contract documents explicitly provide otherwise.

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F. Indemnification:

The successful Offeror(s) agrees to indemnify, defend, and hold harmless the County of Warren, its officers, County designated volunteers, agents, and employees from and against any and all claims, demands, defense costs, damages, suits, actions, liability, or consequential damages of any kind or nature arising directly out of or in connection with negligent acts, errors, or omissions in the performance of its professional services of the successful Offeror(s), including its agents, consultants, and subcontractors, under the terms of the contract, excepting those which arise out of the negligence of the County.

G. Insurance Requirements:

The successful Offeror(s) shall maintain insurance to protect itself and the County of Warren from claims under the Workers' Compensation Act and from any other claim for damages for personal injury, including death, and for damages to property which may arise from operations under this contract, whether such operations be by the successful Offeror(s) or by any subcontractor or anyone directly employed by either of them. Such insurance shall conform to the Insurance Specifications in **Attachment B**.

H. Small, Women-Owned, and Minority-Owned (SWAM) Businesses:

The County of Warren welcomes and encourages the participation of small businesses and businesses owned by women and minorities in procurement transactions made by the County. The County of Warren actively solicits both small business, women-owned, and minority-owned (SWAM) businesses to respond to all Requests for Proposals. All solicitations are posted on the County's website at www.warrencountyva.net and may be viewed under the Procurement link on the homepage.

I. No Discrimination Against Faith-Based Organizations:

Warren County does not discriminate against faith-based organizations as defined in Section 2.2-4343.1 of the Code of Virginia.

J. Severability:

Each paragraph and provision of the contract will be severable from the entire agreement, and if any provision is declared invalid, the remaining provisions shall nevertheless remain in effect.

K. Subcontracts:

No portion of the work shall be subcontracted without prior written consent of the County of Warren, Virginia. In the event that the Offeror(s) desires to subcontract some part of the work specified in the contract, the Offeror(s) shall furnish the County with the names, qualifications, and experience of the proposed subcontractor(s). The Offeror(s) shall, however, remain fully liable and responsible for the work to be done by the subcontractor(s) and shall ensure compliance with all the requirements of the contract.

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L. Employment of Unauthorized Aliens Prohibited:

During the performance of the contract, the Offeror(s) will agree that it does not and will not knowingly employ an unauthorized alien as defined in the Federal Immigration Reform and Control Act of 1986.

M. Authorized to Transact Business in Virginia:

The Offeror(s) shall be authorized to transact business in the Commonwealth of Virginia as a domestic or foreign business entity if so required by Title 13.1 or Title 50 of the Code of Virginia (1950), as amended, or as otherwise required by law.

V. PROPOSAL SUBMISSION REQUIREMENTS:

- A. The County of Warren will not accept oral proposals or proposals received by telephone, facsimile, email, or other electronic means.
- B. The Proposal Signature Sheet, **Attachment A**, must accompany any proposal(s) submitted and shall be signed by an authorized representative of the Offeror(s). If the Offeror(s) is a business or corporation, the Offeror(s) must print the name and title of the individual executing the proposal. All information requested must be submitted. Failure to submit all information required may result in the County Administrator's Office requiring prompt submission of missing information and/or giving a lowered evaluation of the proposal.
- C. All erasures, interpolations, and other changes in the proposal shall be signed or initialed by the Offeror(s).
- D. The proposal and any other documents required shall be enclosed in a sealed, opaque envelope. The envelope containing the proposal shall be sealed and marked with the RFP title.
- E. The time at which proposals are received shall be determined by the clock in the County Administrator's Office. Offeror(s) are responsible for ensuring their proposals are stamped by Administration Office personnel by the deadline indicated.
- F. By submitting a response to this Request for Proposal, the Offeror(s) represents that it has read and understands the Scope of Services and has familiarized itself with all federal, state, and local laws, ordinances, rules, and regulations that in any manner may affect the cost, progress, or performance of the contract work.
- G. The failure or omission of any Offeror(s) to receive or examine any form, instrument, addendum, or other documents or to acquaint itself with conditions existing at the site shall in no way relieve any Offeror(s) from any obligations with respect to its proposal or to the contract.
- H. Trade secrets or proprietary information submitted by the Offeror(s) in response to this Request for Proposal shall not be subject to public disclosure under the Virginia Freedom of Information Act; however, the Offeror(s) must invoke the protection of this section prior to

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or upon submission of data or materials, and must identify the data or other materials to be protected and state the reasons why protection is necessary (Section 2.2-4342 of the Code of Virginia).

- I. A proposal may be modified or withdrawn by the Offeror(s) any time prior to the time and date set for the receipt of proposals. The Offeror(s) shall notify the County Administrator's Office in writing of its intentions.
 1. Modified and withdrawn proposals may be resubmitted to the County Administrator's Office up to the time and date set for the receipt of proposals.
 2. No proposal can be withdrawn after the time set for the receipt of proposals and for one hundred and twenty (120) days thereafter.

- J. Comments as to how the proposal documents, scope of services, or drawings can be improved are welcome. Offeror(s) requesting clarification or interpretation of or improvements to the proposal general terms, conditions, scope of services, or drawings shall make a written request which shall reach the County Administrator's Office at least eight (8) days prior to the date set for the receipt of proposals. Any changes to the proposal shall be in the form of a written addendum from the County Administrator's Office and shall be signed by the County Administrator or a duly authorized representative. Offeror(s) shall be responsible for determining that all addenda issued by the County Administrator's Office have been received before submitting a proposal.

- K. All proposals received in the County Administrator's Office on time shall be accepted. All late proposals received by the County Administrator's Office shall be returned to the Offeror(s) unopened. Proposals shall be open to public inspection only after award of the contract.

VI. PROPOSAL RESPONSE FORMAT:

Offeror(s) shall submit a written proposal that presents the qualifications of the Offeror(s) and understanding of the work to be performed. Offeror(s) are asked to address each evaluation criterion and to be specific in presenting their qualifications. The proposal should provide all the information considered pertinent to the qualifications of the Offeror(s). The Offeror(s) should include in its proposal as a minimum the following:

- A. Table of Contents

- B. Introduction
 1. Cover Letter: Include a cover letter introducing the company and briefly describing its business plan.
 2. Proposal Signature Sheet (Attachment A)

The proposal may also include the following clearly-labeled sections to coincide with this RFP:

- C. Vendor Background and Qualifications: This includes experience in providing splash pad design and installation, and experience working with municipalities and other organizations.

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- D. Insurance and Other Required Document: The Offeror(s) will be responsible for all required or desired insurance of property owned by the Contractor.
- E. Equipment Information: Describe the general features of the splash pad. Explain in detail how the features meet the desired features stated in this RFP.
- F. Project Specifications: The splash pad will be located in the Dr. Saul Seide Botanical Memorial Gardens, near the Raymond E. Santmyers Youth Center and Lion's Park and consists of a landscaped walkway, mature trees, open areas, and sidewalks. The fountain is scheduled to be removed, and plans for the Park include the splash pad, a feature unique to this area which is both interactive and engaging to the growing community. The specifications and desires for the splash pad shall include the following:
1. The size and configuration of the play area where equipment is to be installed is approximately 50' x 50' (2,500 sf) and staff is proposing a circular shape to accommodate the splash pad. Other sizes and configurations will be considered. The splash pad will be replacing the current memorial fountain and will better utilize the area based on safety, accessibility, and play value.
 2. Splash pad shall be themed to complement the natural beauty of the County and the surrounding environment, continuing to honor the purpose and intent of the Memorial Gardens. The theme and fixtures should be unique in design. It shall be designed for a diverse group of ages.
 3. Splash pad shall be placed in the designated area, which is bordered on the south by the Raymond E. Santmyers Youth Center, by Lion's Park on the north, and by Happy Creek, an established Virginia Trout Stream as stated by the Virginia Department of Game and Inland Fisheries, on the east.
- G. Drawings: Designs shall be submitted with a scale drawing and written descriptions of the components. Factory warranties and product liability information on all components should also be included. Please submit three (3) contacts where similar equipment has been used. If available, submit locations within the Commonwealth of Virginia, Mid-Atlantic region if possible, that have some of the proposed splash pad equipment installed.
- H. Pricing: The budget for the project is approximately \$100,000. Pricing information should include total price and a breakdown of price by materials, equipment, and installation.
- I. References: Please include three (3) references from clients. Reference information should include the following:
1. Name of Business or Municipality
 2. Contact Name
 3. Contact Address, Phone Number, Email Address
 4. Brief Description of Project
- J. Please provide one (1) original and ten (10) copies of the proposal response marked **Splash Pad Design and Installation**

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K. County Contact Person: If there are any questions concerning this RFP, please contact:

Dan Lenz
Director of Parks and Recreation
County of Warren
200 East 8th Street
Front Royal, Virginia 22630
Phone: (540) 635-7750
dlenz@warrencountyva.net

VII. PROPOSAL EVALUATION/SELECTION PROCESS:

- A. Submittals received by the due date will be reviewed by a Selection Committee comprised of County staff in accordance with the evaluation criteria set forth herein and County objectives and policies. The Selection Committee will evaluate each proposal using a numerical scoring system and make a recommendation to the Board of Supervisors based on the best evaluation and negotiation of price and experience.
- B. The County of Warren reserves the right to reject any and all proposals, to waive technicalities, informalities, or irregularities, to request clarification, and to accept any proposal deemed to be in the best interest of the County.
- C. In addition, the County reserves the right to request additional information from respondents to this RFP, to make any changes necessary to ensure this RFP is consistent with local, federal, and state procurement procedures, and to elect to negotiate fees or other contract issues with the selected Offeror(s) before recommending execution of a contract(s).

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ATTACHMENT A: PROPOSAL SIGNATURE SHEET

My signature certifies that the proposal as submitted complies with all Terms and Conditions as set forth in the Request for Proposal (RFP). My signature also certifies that by submitting a proposal in response to this RFP, the Offeror represents that in the preparation and submission of this proposal, said Offeror did not, either directly or indirectly, enter into any combination or arrangement with any person, firm or corporation or enter into any agreement, participate in any collusion, or otherwise take any action in the restraint of free, competitive bidding in violation of the Sherman Act (15 U.S.C. Section 1 et seq.) or Sections 59.1-9.1 through 59.1-9.17 or Sections 59.1-68.6 through 59.1-68.8 of the Code of Virginia.

I hereby certify that I am authorized to sign as a Representative for the Offeror:

NAME OF OFFEROR: _____

ADDRESS: _____

FED ID NO: _____

SIGNATURE: _____

NAME (print clearly): _____

TITLE: _____

TELEPHONE: _____

E-MAIL: _____

DATE: _____

ATTACHMENT B: INSURANCE SPECIFICATIONS

INSURANCE SPECIFICATIONS FOR SUCCESSFUL OFFEROR(S)/CONSULTANT

The successful Offeror(s) shall carry Public Liability Insurance in the amount specified below, including contractual liability assumed by the successful Offeror(s), and shall deliver a Certificate of Insurance from carriers acceptable to the County specifying such limits. The Certificate shall show the County of Warren named as an additional insured for the Commercial General Liability, Automobile Liability (including owned, non-owned, and hired car coverage), Umbrella Liability, and Professional Liability coverage.

The coverage shall be provided by a carrier(s) rated "Excellent" by A.M. Bests. In addition, the insurer shall agree to give the County thirty (30) days' notice of its decision to cancel coverage.

1. Workers' Compensation and Employer's Liability:
 - Coverage A statutory Virginia limits
 - Coverage B \$100,000 per occurrence
 - Coverage C \$100,000/\$100,000 accident and/or disease
 - All States Endorsement
2. Automobile Liability, including Owned, Non-Owned, and Hired Car Coverage Limits of Liability:
 - Bodily Injury \$1,000,000 each occurrence
 - \$1,000,000 annual aggregate
 - Property Damage \$1,000,000 each occurrence
3. Comprehensive General Liability Limits of Liability:
 - Bodily Injury \$1,000,000 each occurrence
 - \$1,000,000 annual aggregate
 - Property Damage \$1,000,000 each occurrence
 - \$1,000,000 annual aggregate Including Completed Operations/Products.
 - Contractual Liability for specified Agreement (Note 1). Personal Injury. (XCU) Explosion, Collapse and Underground Coverage. Broad Form Property Damage.
4. Professional Liability:
 - \$1,000,000 each occurrence
 - \$2,000,000 aggregate

Note 1: Contractual Liability covers the following indemnity agreement: "The successful Offeror(s) shall indemnify and hold harmless the County of Warren against and from all liability, claims, damages, and costs, including attorney's fees of every kind and nature and attributable to bodily injury, sickness, disease, or death or to damage or destruction of property resulting from or in any manner arising out of or in connection with the project and the performance of the work under the contract."

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ATTACHMENT C: AERIAL VIEW OF CURRENT LOCATION OF FOUNTAIN AND
SELETED LOCATION OF SPLASH PAD



