



BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO
406 Justice Drive, Lebanon, Ohio 45036
www.co.warren.oh.us
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Telephone (513) 695-1250
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TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG

ENTER INTO CONTRACT WITH RECREATION OUTLETS, INC. FOR THE VILLAGE OF MORROW PHEGLEY PARK UPGRADE FOR WARREN COUNTY OFFICE OF GRANTS AND ADMINISTRATION

WHEREAS, pursuant to Resolution #22-1159 adopted August 2, 2022, this Board authorized a request for proposals for Village of Morrow – Phegley Park Upgrades for the Office of Grants and Administration; and

WHEREAS, on or before August 16, 2022, the Office of Grants Administration received six (6) sealed proposals for Village of Morrow – Phegley Park Upgrades; and

WHEREAS, said negotiations are complete and it is the recommendation Susanne Mason, Director of Office of Grants Administration, to enter into contract with Recreations Outlets, Inc., 885 State Route 28, Milford, OH 45150, for a total contract price of \$156,545.58; and

NOW THEREFORE BE IT RESOLVED, to enter into contract with Recreation Outlets, Inc. for Village of Morrow – Phegley Park Upgrades on behalf of Warren County Office of Grants and Administration; as attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mr. Grossmann – yea
Mr. Young – yea
Mrs. Jones – yea

Resolution adopted this 27th day of September 2022.

BOARD OF COUNTY COMMISSIONERS

Tina Osborne, Clerk

cc: c/a—Recreation Outlets, Inc.
OGA (file)
OMB Bid file

PUBLIC NOTICE: REQUEST FOR PROPOSALS

VILLAGE OF MORROW PHEGLEY PARK UPGRADE

Sealed proposals will be received by the Warren County Board of County Commissioners, 406 Justice Drive, Lebanon, Ohio 45036, until 4:00 p.m. on August, 16, 2022, for the Village of Morrow – Phegley Park Upgrade.

Proposal documents are available online at the Warren County Board of Commissioners Website: www.co.warren.oh.us/Commissioners/Bids/Default.aspx Questions regarding the proposal documents and technical specifications should be directed to Susanne Mason via email at Susanne.mason@co.warren.oh.us. Each proposal shall contain the full name of each person or company submitting the proposal and be accompanied by a bid bond for the full amount of the proposal or a certified check in the amount equal to five percent (5%) of the proposal.

Please be aware that if you are downloading this document to submit a proposal for this project, addendums to the scope may be issued prior to the bid date. To stay updated on any change, please email Susanne.mason@co.warren.oh.us with your contact information to be notified of any changes to this RFP.

The Warren County Board of Commissioners reserves the right to accept the lowest and best bid, to reject all bids, and to waive any irregularities in bids.

Proposers must be willing and able to comply with the applicable state and federal requirements of the Community Development Block Grant program, as well as mandatory contract terms and conditions identified in the RFP.

REQUEST FOR PROPOSALS

VILLAGE OF MORROW-PHEGLEY PARK UPGRADE

WARREN COUNTY BOARD OF COMMISSIONERS

406 JUSTICE DRIVE
LEBANON, OHIO 45036

INTRODUCTION AND RFP SCHEDULE

As the Administrative Agent for the Community Development Block Grant Entitlement Program, the Warren County Board of Commissioners in partnership with the Village of Morrow, now seeks proposals for the purchase and turnkey installation of park playground equipment and playground upgrades for the Village of Morrow Phegley Park located at the intersection of Main Street and Center Street, Morrow, Ohio 45152. The park is owned and operated by the Village of Morrow, but for the purposes of this RFP Warren County Board of Commissioners are referred to herein as “Owner.”

Please direct all communications regarding this RFP process to:

Susanne Mason
Warren County Office of Grants Administration
406 Justice Drive
Lebanon, Ohio 45036
Telephone: (513) 695-1259
Email: Susanne.mason@co.warren.oh.us

PRE-PROPOSAL SITE VISIT

The Proposers are invited and encouraged to make a pre-proposal site visit to Phegley Park. The visit can be done at the proposer’s convenience during daylight hours, it is not necessary to schedule a visit in advance as this is a public park. The intent of the site visit is to review the project location, survey the site conditions, and determine requirements for the scope of work outlined in this RFP for installation of playground equipment.

Location: intersection of Main and Center Streets in downtown Morrow, Ohio 45152



ADDENDA & INTERPRETATIONS

Questions regarding the information contained in this RFP shall be emailed to Susanne Mason at Susanne.mason@co.warren.oh.us To be given consideration, questions must be received at least seven days prior to the proposal submittal date. All such interpretations and any supplemental instructions will be in the form of written addenda to the RFP, which if issued, will be posted on the Warren County website on the Bid Projects page, no later than August 12th, 2022. Failure to receive any such addenda or interpretations shall not relieve the proposer from any obligations under the proposal submitted.

PROJECT SCOPE

Provide all new playground equipment, design playground layout, and turnkey installation of new playground equipment. Provide and install park benches and garbage cans. Installation of playground surface with defined border, either playground mulch or poured rubber surface. Train facility staff on use and care of the equipment. All permits and fees are the responsibility of the successful Proposer; Additional tasks may be identified and included in the proposal as supplemental services for consideration by the Owner.

The Village of Morrow envisions a park with the following equipment, but proposals with alternative suggestions will be considered:

- 1) A Play Structure with multiple elevated platforms, several slides, climbing areas and ladders with an overall height of >6 feet
- 2) A rope net climber, >6 feet in height
- 3) New swings (7-8 foot Cantilever Swings) with belt swings and 2 with bucket swings for younger children
- 4) Arched climbing structure
- 5) Spinning play structures

- 6) Funnel Ball Game
- 7) Playground Surface: Playground mulch with a defined border or poured rubber surface

PROPOSAL SUBMISSION

The proposals submitted in response to this RFP are due by August 16, 2022, 4:00 p.m., Eastern Standard Time, via electronic mail to:

Susanne Mason
Susanne.mason@co.warren.oh.us

All proposals shall be submitted electronically via email to the contact listed above. Proposals received after the scheduled date and time for submittal will not be considered. All supporting materials and documentation must be included with the proposal.

Any proposal may be withdrawn by the proposer prior to the above scheduled submittal time or authorized postponement thereof.

PROPOSAL CONTENTS

Proposers are required to submit the following information in their proposals:

- **Letter of Transmittal.** The proposer shall provide a transmittal letter with authorizing signature for the proposal. The letter must briefly summarize the vendor's ability and willingness to perform the services required by the RFP. The letter must be on the form provided in Exhibit A.
- **Company Profile and Background.** Provide the following information:
 - ✓ **Location** –Provide the location of the proposer's office nearest to Morrow, Ohio. Include the local office, a contact name, address, telephone number, and email address.
 - ✓ **Company's Primary Business** – State the proposer's primary business, the number of years in the proposer's industry, and the number of employees assigned to these related activities.
 - ✓ **Legal Organization** – State the legal organization of proposer's company: sole proprietorship, partnership, corporation, LLC, etc.
 - ✓ **Current Litigation** – Please list any and all lawsuits in which the proposer's company is named in any capacity.
- **Key Personnel Information.** Provide the name, title, mailing address, telephone number, and email address of the persons who will function as the County's primary contact and back-up contact person. Provide brief qualifications of personnel who will be primarily involved in this project.

- **Proposal Response.** Provide a detailed description of the proposed equipment, layout, and installation based on the requirements and specifications described herein.
- **Implied Requirements.** All products and services not specifically mentioned in the RFP, but which are necessary to provide the functional capabilities described by the proposer shall be included in the proposal.
- **Warranty.** Provide an equipment warranty and installation warranty description and claim process.
- **Pricing.** Provide description of all service fees, with a breakdown of any line items and including a unit or lump sum price for the project.
- **Timeline.** Provide the anticipated lead time between issuance of a purchase order and equipment installation, along with estimated duration of the installation.
- **References.** Provide a list of at least three references for similar projects.
- **Insurance.** Provide documentation of compliance with insurance requirements.

EVALUATION CRITERIA

Proposals will be evaluated based on the following criteria:

Evaluation Criteria		
Item	Description	Percentage of Weight
1	Previous experience, including similar projects	30%
2	Schedule and Fee	30%
3	Technical approach/ Key personnel/ Project team	10%
4	Creativity of layout or design	10%
5	Quality of Equipment	10%
6	Warranties for labor and materials	10%
	Total	100%

The Owner may make such investigations as it deems necessary to determine the ability of the proposer to perform the work, services, or functions, and the proposer shall furnish to the Owner all such information and data for this purpose as the Owner may request.

The Owner reserves the right to reject any and all proposals, to waive any irregularities in a proposal, or to accept the proposal(s) which in the judgment of the

Owner is in the Owner's best interest. The Owner reserves the right to approve or reject any subcontractors proposed for work under this proposal or waive any minor irregularities.

The Owner may conduct discussions with proposers for the purpose of clarifications or corrections regarding bids to ensure full understanding of, and responsiveness to, the requirements specified in the RFP.

Proposers will be ranked based on the criteria listed in this RFP, with the proposer receiving the most points being ranked first, and so forth. The Owner will attempt to negotiate a contract with the highest ranked proposer. If the Owner and the highest ranked proposer fail to enter into a contract, the Owner shall attempt to negotiate a contract with the next highest ranked proposer, and so forth until a contract is awarded or until the Owner terminates negotiations, at the direction of the Board of County Commissioners.

PRICE PROPOSAL GUARANTEE

All proposers agree that their price proposal is valid for a minimum of one year after the contract execution. The Owner will negotiate with the proposer whose submittal is the most advantageous to the Owner based upon the Owner's review of all proposals and the evaluation criteria. Proposers are strongly encouraged to submit the most competitive bid possible up front.

TERMS AND CONDITIONS

- **Incurred Costs** – Those submitting proposals do so entirely at their expense. There is no express or implied obligation by the Owner to reimburse any individual or firm for any costs incurred in preparing or submitting bids, for providing additional information when requested by the Owner, or for participating in any selection interviews, negotiations, or discovery.
- **Assignment** – The proposer may not reassign, transfer, convey, sublet, or otherwise dispose of any award made as the result of this RFP without prior written consent from the Warren County Board of Commissioners.
- **Indemnification** – The selected Contractor shall agree to indemnify and hold harmless the Warren County Board of Commissioners and the Village of Morrow, and their officers, and employees from and against any and all liability, claims, demands, and expenses, including court costs and attorney fees, on account of any injury, loss, or damage which arises out of the performance of the contract, if such injury, loss, or damage is due to the negligence of the respondent, any subcontractor of the respondent, or any officer, employee, or agent of the respondent.

- **Controlling Law** – This RFP and any contract resulting therefrom shall be governed by and construed according to the laws of the State of Ohio.
- **Tax Exemption** – The Owner is exempt from payment of Federal Excise Tax, Transportation Tax, and Ohio State Tax. Prices shall not include these items.
- **Obligations of the Proposer** – The failure of any respondent to examine any RFP requirement shall in no way relieve the respondent of any obligation or condition of the contract documents.
- **Insurance** – Contractor must obtain, for the contract term and any extension of it, insurance issued by a company or companies qualified to do business in the State of Ohio and provide the Owner with evidence of insurance. Insurance in the following types and amounts is required:
 - ✓ Workers’ Compensation Insurance covering all liability of the Contractor arising under the Workers’ Compensation Act and Workers’ Occupational Disease Act.
 - ✓ Comprehensive General (Public) Liability in a broad form, to include coverage for the following where exposure exists:
 - Premises/Operations, Independent Contractors
 - Products/Completed Operations, Personal Injury and Contractual Liability
- **Security for Performance.** The Contractor, at its own expense, will be required to provide and maintain a performance bond and a payment bond in the forms provided under the Ohio Revised Code. The bonding company shall have an A.M. Best rating of “A” or above.
- **Public Record Requests** – In order to ensure fair and impartial evaluation, proposals and any documents or other records related to a subsequent negotiation for a final contract that would otherwise be available for public inspection and copying under section 149.43 of the Ohio Revised Code shall not be available until after award of the contract.
- As this is a Community Development Block Grant project, the Civil Right Act, Equal Employment Opportunity, HUD and ODOD Patent Rights in Research Regulation, and the Davis Bacon Prevailing Wage Rates shall all apply to any contract entered into pursuant to this RFP.

[End of RFP]

EXHIBIT A – TRANSMITTAL LETTER AND ATTACHMENTS (Proposal forms)

Village of Morrow
Phegley Park Upgrade Project CDBG 2022

**TRANSMITTAL LETTER
(To be typed on Respondent's Letterhead)**

[Date]

Warren County Board of Commissioners
406 Justice Drive
Lebanon, Ohio 45036

Attn: Susanne Mason, Grants Administrator

Re: Proposal for the Village of Morrow Phegley Park Upgrade Project

_____ (the "Respondent") hereby submits its proposal in response to the Request for Proposals ("RFP") for the Village of Morrow Phegley Park Upgrade Project issued by the Warren County Board of Commissioners (the "Owner").

As a duly authorized representative of the Respondent, I hereby certify, represent and warrant as follows in connection with the proposal:

The Respondent acknowledges receipt of the RFP and the following addenda:

No.	Date
-----	------

The submittal of the proposal has been duly authorized by, and in all respects is binding upon, the Respondent. The Certificate of Authorization submitted as Attachment 1 to this Transmittal Letter evidences my authority to submit the proposal and bind the Respondent.

The Respondent has completely reviewed and understands and agrees to be bound by the requirements of the RFP.

The key personnel that will be members of the Respondent's Project team include as follows (describe role for each member):

All information and statements contained in the proposal are current, correct and complete, and are made with full knowledge that the Owner will rely on such information and statements in evaluating the proposals.

The proposal has been prepared and is submitted without collusion, fraud or any other action taken in restraint of free and open competition for the services contemplated by the RFP.

The Respondent will comply with any applicable state and federal equal opportunity and affirmative action requirements associated with the funding of this Project.

Neither the Respondent, nor the Guarantor is currently suspended or debarred from doing business with any governmental entity.

No person or selling agency has been employed or retained to solicit the award of the Contract under an arrangement for a commission, percentage, brokerage or contingency fee or on any other success fee basis, except bona fide employees of the Respondent.

The Respondent's contact person who will serve as the interface between the Owner and the Respondent is:

Name:

Title:

Address:

Phone:

Fax:

Email:

Name of Respondent

Name of Designated Signatory

Signature

Title

(Notary Public)

State of _____

County of _____

On this _____ day of _____, 2022, before me appeared _____ personally known to me to be the person described in and who executed this _____ and acknowledged that (she/he) signed the same freely and voluntarily for the uses and purposes therein described.

In witness thereof, I have hereunto set my hand and affixed my official seal the day and year last written above.

Notary Public in and for the state of _____

(SEAL)

(Name printed)

Residing at

My commission expires

CERTIFICATE OF AUTHORIZATION*

I, _____, a resident of _____ in the State of _____ DO HEREBY CERTIFY that I am the Clerk/Secretary of _____ a corporation duly organized and existing under and by virtue of the laws of the State of _____; that I have custody of the records of the corporation; and that as of the date of this certification, _____ holds the title of _____ of the corporation, and is authorized to execute and deliver in the name and on behalf of the corporation the Proposal submitted by the corporation in response to the Request for Proposals for the Village of Morrow Phegley Park Upgrade Project, issued by the Warren County Board of Commissioners and all documents, letters, certificates and other instruments which have been executed by such officer on behalf of the corporation in connection therewith.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the corporation this _____ day of _____ 2022.

(Affix Seal Here)

Clerk/Secretary

* Note: Separate certifications shall be submitted if more than one corporate officer has executed documents as part of the proposal. Modify this certificate for use by other than a corporation or corporations.

LICENSES AND CERTIFICATES

Provide copies of the appropriate Ohio licenses and certificates, pursuant to the RFP.

DELINQUENT PERSONAL PROPERTY TAX AFFIDAVIT
*THIS SECTION SHOULD BE FULLY COMPLETED WHETHER OR NOT YOU AS A
 VENDOR/CONTRACTOR OWN PROPERTY IN WARREN COUNTY, OHIO.*

AFFIDAVIT

STATE OF _____)
) SS:
 COUNTY OF _____)

_____ being duly cautioned and sworn, states as follows:

1. That he/she is _____ of
 (Title)

 (Name of Contracting Party)

2. That _____ is not presently
 (Name of Contracting Party)
 charged with any delinquent Real and/or Personal property taxes on the general tax list of
 Real and/or Personal property of Warren County.

-OR-

1. That _____ is charged with
 (Name of Contracting Party)
 delinquent Real and/or Personal property tax on the general tax list of Real and/or Personal
 property of Warren County. The amount of delinquent Real and/or Personal property tax due
 and unpaid including any due and unpaid penalty and interest is:
 \$ _____

Further, affiant states not.

 Affiant

Sworn to and subscribed in my presence this ____ day of _____ 20____.

 Notary Public

This instrument was prepared by _____

Note to Fiscal Officer: If any Real and/or Personal property taxes are delinquent, you must send a copy of this statement to the County Treasurer within 30 days of the date it is submitted.

WARNING: MAKING A FALSE STATEMENT ON THIS AFFIDAVIT MAY BE PUNISHABLE BY A FINE AND/OR IMPRISONMENT

[Attachment 5]

PROPOSAL BOND

BOND NUMBER:

DATE: (Not later than Proposal due date):

PENAL SUM: 5% of Proposer's Price Proposal

The Penal Sum above shall be for five per cent of Proposer's Price Proposal as provided to the Board. Surety and Proposer, intending to be legally bound hereby, subject to the terms printed on the reverse side hereof, do each cause this Proposal Bond to be duly executed on its behalf by its authorized officer, agent, or representative. Surety certifies that it has reviewed Proposer's Price Proposal, the Contract, and Proposer's proposals.

PROPOSER

SURETY

_____(Seal)
Proposer's Name and Corporate Seal

_____(Seal)
Surety's Name and Corporate Seal

By: _____
Signature and Title

By: _____
Signature and Title
(Attach Power of Attorney)

Attest: _____
Signature and Title

Attest: _____
Signature and Title

Notes: (1) Above addresses are to be used for giving required notice.

1.01 Proposer and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to pay to the Owner upon default of Proposer, the difference between the Proposer's Proposal and that of the next Proposer determined to be the best value, or for a penal sum not to exceed 5 per cent of the Proposer's Price Proposal, whichever is less. If the Proposer defaults or otherwise fails to enter into a contract and the Owner does not award a contract but elects to use an alternative procurement method, the Proposer failing to enter into the contract and the surety on the Proposer's bond, are liable to the Owner for a penal sum not to exceed ten per cent of the amount of the Price Proposal or all costs in connection with implementing and completing the new procurement method, whichever is less.

2.01 Default of Proposer shall occur upon the failure of Proposer to deliver within the time required by the Request for Proposals (or any extension thereof agreed to in writing by the Owner) the executed contract, Guaranty Agreement, and any performance and payment Bonds required by the contract.

3.01 This obligation shall be null and void if:

A. The Owner accepts the Proposal and Proposer delivers within the time required by the Request for Proposals (or any extension thereof agreed to in writing by the Owner) the executed contract, Guaranty Agreement, and any performance and payment Bonds required by the Contract, or

B. All Proposals are rejected by the Owner, or

C. The Owner fails to award a contract to the selected Proposer within 60 days of the time specified in the Request for Proposals as the date of Contract Award (or any extension thereof agreed to in writing by Proposer and, if applicable, consented to by Surety when required by paragraph 5.01 hereof) except the obligation shall remain valid if Proposer refuses to enter into a contract with Owner.

4.01 Payment under this Bond will be due and payable upon default by Proposer and within 30 calendar days after receipt by Proposer and Surety of written notice of default from the Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.

5.01 Surety waives notice of and any and all defenses based on or arising out of any time extension to Contract Award agreed to in writing by the Owner and Proposer, provided that the total time for issuing Contract Award including extensions shall not in the aggregate exceed 120 days from Proposal due date without Surety's written consent.

6.01 No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in paragraph 4.01 above is received by Proposer and Surety and in no case later than one year after Proposal due date.

7.01 Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state and County in which the Project is located. The Surety hereby waives any right that it may have to remove any action under the Bond for Federal court.

8.01 Notices required hereunder shall be in writing and sent to Proposer and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.

9.01 Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent or representative who executed this Bond on behalf of Surety to execute, seal and deliver such Bond and bind the Surety thereby.

10.01 This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.

11.01 The term "Proposal" as used herein includes an offer or proposal as applicable.

+ + END OF PROPOSAL BOND



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PUBLIC NOTICE:
REQUEST FOR PROPOSALS

VILLAGE OF MORROW PHEGLEY PARK UPGRADE

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Proposers must be willing and able to comply with the applicable state and federal requirements of the Community Development Block Grant program, as well as mandatory contract terms and conditions identified in the RFP.

By order of the Board of County Commissioners, Warren County, Ohio.

Tina Osborne, Clerk