



DEPARTMENT OF PUBLIC WORKS
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AGENDA ITEM

#86

DATE: June 21, 2004

COUNCIL COMMUNICATION

INITIATED BY: Durham Parks and Recreation Committee
Public Works Department

AGENDA ITEM: AWARD CONTRACT TO PURCHASE A HEAVY DUTY, MODULAR
PLAYGROUND FOR THE WOODRIDGE RECREATIONAL AREA

PREPARED BY: Michael Lynch, Public Works Director

PRESENTED BY: Todd Selig, Town Administrator
Michael Lynch, Public Works Director
Durham Parks and Recreation Committee

AGENDA DESCRIPTION:

Approved in the 2004 Capital Budget is an appropriation of \$49,000 for the purpose of purchasing a new heavy duty, modular playground to be used by children ranging in age from 5 to 12 years. The playground will replace the current 28-year-old wooden structure at the Woodridge Recreational Area on Fogg Drive. Wooden structures with chemical preservatives are no longer allowable as play structures because they contain hazardous chemicals such as creosote and arsenic.

The Public Works Department began the process of replacing the playground equipment at Woodridge Field by meeting with the Parks and Recreation Committee on February 19, 2004, to update them and seek direction on how we should proceed. The committee was given multiple catalogs from numerous suppliers to review and, based on qualifications, company experience, pricing and references, they were able to narrow the vendor list from nine to three recreation equipment companies on February 26, 2004:

- Marturano Recreation Co. representing Gametime (manufacturers of the playground equipment erected at Jackson's Landing)
- Pettinelli & Associates, Inc. representing Miracle Recreation
- O'Brien & Sons representing Landscape Structures

The DPW setup presentations for the Parks and Recreation Committee on April 15, 2004, for the three vendors to provide a company biography, display samples of equipment and hardware, and to review customer services, which the vendors would provide. After the presentations, the committee narrowed the field to two vendors and chose a playground subcommittee to do the additional work of selecting a final vendor. The sub committee was comprised of Jane Crooks, John Parry, Denny Byrne and Mike Lynch. The sub committee met on March 30th, April 19th, and May 11th, to compare the final two designs for pricing and to interview the subcommittee's choice, Miracle Recreation, one last time.

On Thursday, May 20, 2004 the subcommittee presented its recommendation to the full Parks and Recreation Committee in conjunction with a public hearing on the final design aimed at soliciting comments from Durham residents. Two residents spoke in favor of the design and the Parks & Recreation Committee voted unanimously in favor of recommending the final design to the Town Council for its approval.

Assembling the playground is scheduled for September 9th, 2004. It will be a community event involving town volunteers, representatives from the vendor, the Public Works Department, and volunteers from the Timberland Company who will be assisting as one of their company's community service projects. The Public Works Department will do all necessary site work and preparations related to the project (sand, drainage, removal of old equipment).

The selected vendor's proposal will cost \$50,435, which is \$1,435 over the budgeted amount of \$49,000 for this project. This overage will be offset by the \$45,500 that the Woodridge Tennis Courts project will be under budget due to the modifications to the project and very favorable bid results received.

The Town Administrator recommends that the Council approve this purchase and grant their waiver to the competitive bid process in this instance.

LEGAL AUTHORITY:

Article 4-19 of the Administrative Code of the Town of Durham requires every purchase or contract in excess of \$15,000 shall be made only after receipt of publicly invited sealed competitive bids on uniform specifications and that all purchases in excess of \$25,000 requires approval by the Town Administrator and Town Council by affirmative vote.

Soliciting competitive bids was not a plausible option in this process since each company designs and builds its own unique playground equipment. Therefore, the Parks and Recreation Committee used a vendor selection process that included comparing the number of events in each proposal, the quality of products offered and whether the proposals were competitively priced, the availability of parts, and the committee placed a strong emphasis on how each company handles customer service.

Article 4-22 of the Administrative Code of the Town of Durham states that the Town Council, on recommendation from the Town Administrator, may waive any of the purchasing requirements in cases where it is deemed inadvisable to solicit bids for stated reasons, which the Council deems to be in the interest of the Town.

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

Approved 2004 Capital Fund Summary is attached.

2004 Approved Capitol Fund for Playground Equipment \$49,000

Quotations:

O'Brien & Sons Inc./Landscape Structures \$50,048

- *This proposal good for only 30 days
- *Limited layout and supervision assistance
- *Does not include a climbing structure

Pettinelli & Associates/Miracle Recreation \$50,435

- *This proposal good for 2004
- *Unlimited layout and supervision assistance
- *Includes a geodesic climber

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council, upon recommendation by the Town Administrator, hereby waives the competitive bid process and awards the contract for purchasing new playground equipment to Pettinelli & Associates of Burlington, Vermont and authorizes the Town Administrator to sign the contract for the sum of \$50,435 with the expenditure to be paid from Capital Fund account # 07-4400-2002-999-04.