

Champaign Park District: Request for Bids for Playground Surfacing Mulch



March 13, 2023

Dear Potential Bidder:

The Champaign Park District is requesting bids for the purchase of playground surfacing mulch (FIBAR). Enclosed is a copy of the bid information.

Sealed bids shall be delivered or mailed to **Daniel Olson, Director of Operations, Champaign Park District, 706 Kenwood Road, Champaign, Illinois 61821 by 11:00 am prevailing time on Tuesday, April 4, 2023**. Bid packets shall be clearly marked with the words: **"Sealed Bid: Playground Surfacing Mulch"**, along with the bidder's name and address, on the outside of the envelope.

When submitting your sealed bid, please make sure to enclose the following:

1. Bid Forms (page 6)
2. Commitment to Engage in Affirmative Action Practices (page 7)
3. Affirmative Action Contractor's Compliance Report (page 8-9)

If you have any questions regarding the information enclosed, please contact me at 217-819-3812, 7:30 a.m. to 4:00 p.m., weekdays or dan.olson@champaignparks.org.

Sincerely,

Daniel J. Olson
Director of Operations
Champaign Park District

Enclosure

Champaign Park District: Request for Bids for Playground Surfacing Mulch

SECTION I. INSTRUCTIONS TO BIDDERS

- 1.01 Invitation to Bid: The Champaign Park District is requesting bids for the purchase of Playground Surfacing Mulch (FIBAR).
- 1.02 Due Date: Sealed bids shall be delivered or mailed to **Dan Olson, Director of Operations, Champaign Park District, 706 Kenwood Road, Champaign, Illinois 61821, by 11:00 a.m. prevailing time on Tuesday, April 4, 2023**, at which time bids will be opened and publicly read. Late bids, emailed and facsimile copies will not be accepted.
- 1.03 Bid Understanding: By submitting a bid, the bidder agrees and assures that the specifications are adequate, and the bidder accepts the terms and conditions, specifications and requirements of work to be completed. Failure to do so will be at the bidder's risk and they cannot secure relief on the plea of error.
- 1.04 Submission of Bid: All bids shall be submitted on the Bidder's Response Sheet (Page 6) and accompanied by requested information (Pages 7-9) including the Champaign Park District Commitment to Engage in Affirmative Action Practices form. All blank spaces shall be properly filled in, in ink or typewritten, in both words and figures, and with no other conditions, changes, erasures or interlineations. Bids shall be signed and executed by a principal duly authorized to make contracts.
- Bids shall be enclosed in an envelope sealed and clearly marked with the words: "**SEALED BID: PLAYGROUND SURFACING MULCH.**" The bidder shall put their name and address on the outside of the envelope.
- The Champaign Park District shall not be responsible for the premature opening of bid envelopes, which are not properly filled out in accordance with the instructions.
- 1.05 Awards Criteria: Award will be to the lowest responsible bidder if all other requirements are satisfactorily met. The Champaign Park District reserves the right to reject any and all bids, waive technicalities and irregularities and/or to award the contract only to a bidder who is equipped, competent and experienced in the class of work and whose bid is deemed to be advantageous to the interests of the Champaign Park District. Where there are tie bids, there shall be a preference for "in state-bidders".
- 1.06 Rejection of Bids: The Park District reserves the right to reject any bids, all bids, or any part of a bid. The Park District reserves the right to reject the bid of any bidder who previously failed to perform adequately for the Park District or any other governmental agency or company.
- 1.07 Waiver of Informalities: The Park District reserves the right to waive informalities or technicalities in bids.
- 1.08 Withdrawal: Bidder may make a written request to modify or withdraw the offer at any time prior to the opening. Bids may not be modified after submittal or withdrawn or modified after bid opening. Withdrawal of bids will be allowed if award of contract has been delayed more than 60 days, after date of actual bid opening.
- 1.09 Inquiries: Questions and comments regarding this solicitation should be directed to **Dan Olson, Director of Operations, at Bresnan Meeting Center, 706 Kenwood Road, Champaign, Illinois 61821 or by calling 217-819-3812**. Written answers to questions of a general nature or which would affect the solicitation will be provided to all eligible bidders. Only written answers to the questions shall be binding.

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SECTION II. TERMS AND CONDITIONS

- 2.01 Definitions: *Owner* shall mean the Champaign Park District. *Vendor* shall mean party of the second part to this contract, acting directly or through his or its legal representative(s) or agent(s). *Subcontractor* shall mean persons, firms or corporations having a direct contract with the contractor, and those who contract to furnish labor or labor and materials at the site of the project.
- 2.02 Contract Documents: The contract entered into by the parties shall consist of the Request for Bid, the signed bid submitted by the Contractor, the terms and conditions and the specifications including all modifications thereof, and a purchase order, if applicable, all of which shall be referred to collectively as the Contract Documents.
- 2.03 Taxes: The Champaign Park District is exempt from any taxes imposed by State and/or Federal Government. Exemption certificates will be provided upon request.
- 2.04 Cancellation/Termination: The Park District may cancel this contract without cause at any time by giving thirty (30) days written notice to the contractor. The Park District may cancel this contract with cause at any time by giving one week's written notice to the contractor. Cancellation for cause shall be at the discretion of the Park District and shall be, but is not limited to, failure to supply services specified within the time allowed within the terms, conditions or provisions of this contract. The successful bidder may not cancel without prior written consent of the Special Projects Supervisor.
- 2.05 Compliance or Deviation to Specifications: Bidder hereby agrees that the products offered will meet all the requirements of the specifications in this solicitation unless deviations from them are clearly indicated in the Bidder's response. Bidder may submit an attachment entitled "Exceptions for Specification", which must be signed by Bidder's authorized representative. An explanation must be made for each item to which an exception is taken, giving in detail the extent of the exception and the reason for which it is taken. Bids failing to comply with this requirement will be considered non-responsive.
- 2.06 Compliance with Ordinances and Statutes and Notice of Special Conditions: Every bidder shall comply with the requirements of the Affirmative Action Regulations of the Champaign Park District, Illinois Fair Employment Act, Prevailing Wage Act, the Employment of Illinois Workers on Public Works Act, Equal Opportunity regulations and other Federal and State of Illinois regulations and guidelines applicable to the contract.
- 2.07 Assignment and Subcontracts: The Vendor shall not assign this contract or any part thereof without written consent of the Park District, nor shall the Vendor award any work under this contract to any subcontractor without prior written approval from the Executive Director. Nothing contained in the contract documents shall create a contractual relation between any subcontractor and the Owner.
- 2.08 Indemnification: To the fullest extent permitted by law, the Company shall indemnify and hold harmless the Park District and its Commissioners, officials, employees, volunteers and agents from and against all claims, damages, losses and expenses, including but not limited to legal fees (attorneys' and paralegals' fees and court costs) arising out of or resulting from the Company activities, provided that any such claim, damage, loss or expense (i) is attributable to bodily injury, sickness, disease or death, or injury to or destruction of tangible property, and (ii) is caused in whole or in part by any negligent or wrongful act or omission of the Company, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnify which would otherwise exist as to any party or person described in this Paragraph. Company shall similarly protect, indemnify and hold and save harmless Park District, its Commissioners, officials, employees, volunteers and agents against and from any and all claims, costs, causes, actions and expenses including but not limited to legal fees, incurred by reason of Company's breach of any of its obligations under, or Company's default of, any provision of the Contract.

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2.09 Insurance: The Contractor shall purchase and maintain such insurance as will protect him from claims under worker's compensation acts and from claims or damages because of bodily injury, including death, and all property damage, including without limitation, which might arise during operations under this contract, whether such operations be by himself or by any subcontractor or anyone directly or indirectly employed by either of them, and no work shall be commenced until all required insurance has been approved by, and certificates naming the Park District as an additional insured delivered to the Park District.

Contractor shall maintain minimum limits of insurance no less than:

- (a) Workman's Compensation & Employers Liability in accordance with the statutes of the law
- (b) General Liability: \$2,000,000 combined single limit per occurrence for bodily injury, personal and property damage
- (c) Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage

2.10 Bid Rigging or Bid Rotating: The bidder by affixing his or her signature to the bid, certifies that he/she has not been barred from being awarded a contract with a unit of State or local government as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961 (bid rigging or bid rotating).

2.11 Sexual Harassment Policy: Vendor certifies that is has a written sexual harassment policy that includes the following information:

- a. The illegality of sexual harassment.
- b. The definition of sexual harassment under State Law.
- c. A description of sexual harassment utilizing examples.
- d. The Vendors internal complaint process including penalties.
- e. The legal recourse, investigative and complaint process available through the Illinois Department of Human Rights and Equal Employment Opportunity Commission.
- f. Protection against retaliation against a person because he or she has opposed that which he or she reasonably and in good faith believes to be sexual harassment or because he or she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceedings or hearing under the Illinois Human Rights Act or any other civil rights statute.

A copy of the policies shall be provided to the Park District upon request.

2.12 Protest: If bidder objects to any provision of the bid, believes the Park District improperly rejected your offer, or believes the selected offer is not in the Park District's best interests, bidder may submit a written protest within five (5) days after the opening. Owner will consider only written protests that are properly and timely filed with the Park District. Owner will issue a written decision and that decision is final.

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SECTION III. SPECIFICATIONS

3.01 Quantity: Below is a list of estimated quantities of playground surfacing mulch for the 2022-2023 Budget year. Also included is the estimated number of deliveries required.

Unit Size	Description	Loads	Estimated # of Deliveries
100 cubic yards/load	Playground Surfacing Mulch	10-20	5-10

3.02 Delivery: Owner shall be responsible for ordering and arranging for the delivery of mulch. Delivery will be Freight on Board (FOB) destination for the seller. All product must be delivered and unloaded on-site to the Owner at the Contractor's risk with all charges for transportation and unloading prepaid by the Contractor. Liability for product delivery will remain with the Contractor until properly delivered and signed by the Owner. Product delivery is to be made via the Contractor's vehicle or common carrier. There may be more than one drop location at the Champaign Park District.

3.03 Payment: Vendor shall submit invoice to the Park District by the 1st Friday of the month. Invoice must include the purchase order number. Payment will be monthly after Board approval of the bills, which is the 2nd Wednesday of each month.

3.04 Product Specifications: All products supplied under these contracts must meet ASTM F-1292, ASTM F-355-95C and ASTM F-1951 standards. Products not meeting standards will be deemed unacceptable and returned to the Contractor for credit at no charge to the purchasing agency. **Documentation on testing must be included with contractor's bid.**

3.05 Surcharges: Bidder must submit potential delivery surcharges on bidder response form. Please indicate frequency of surcharges listed.

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**2023-24 Playground Surfacing Mulch
Bidder's Response Sheet**

Description	Material Name	Price per Cubic Yard, Delivered	Possible Surcharge(s)
Mulch, 100 cubic yard load			

Documentation on Testing Included Yes No

I hereby certify that I am duly authorized to sign as a representative for the vendor submitting the attached bid to the Champaign Park District, and that they have read, fully understand, and accept the items detailed in this bid.

Signed this _____ day of _____, 20____.

SUBMITTED BY:

Company

Address

Phone Fax

Email Address

Authorized Agent (print or type)

Signature of Authorized Agent

FIN or SS # _____

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COMMITMENT TO ENGAGE IN AFFIRMATIVE ACTION PRACTICES

A. The undersigned bidder/contractor/supplier/vendor understands and agrees:

It is the policy of _____ *(name of company)* that all applicants for employment and all employees be recruited, hired and assigned on the basis of merit without discrimination because of race, creed, color, national origin, sex, age or disability. The employment practices of this company have been and will continue to be such as to ensure that all employees are treated equally and that no distinctions are made in rates of pay, benefits or opportunities for advancement.

Therefore, employment of individuals, their assignment to jobs, their transfers and their promotions shall be determined by matching the requirements of an open position with the candidate's skills and qualifications without regard to race, creed, color, national origin, sex, age or disability.

All management and supervisory personnel shall continue to take positive action to ensure that all principles and objectives of the affirmative action program are complied with to carry out the provisions of the laws governing non-discrimination in employment.

- B. The undersigned bidder/contractor/supplier/vendor understands and agrees: to submit to the park district upon request written evidence of the effectiveness of the above-required practices, policies and goals.
- C. The undersigned bidder/contractor/supplier/vendor understands and agrees: to submit to the park district upon request statistical data concerning employee composition or membership composition by race, color, sex, age, disability and job description.
- D. The undersigned bidder/contractor/supplier/vendor understands and agrees: to distribute copies of the above commitment (A) to all persons who participate in recruitment, screening, referral and selection of job applicants and prospective job applicants or members.
- E. The undersigned bidder/contractor/supplier/vendor understands and agrees: to require any subcontractor to submit to the District a written commitment with who he/she contracts with in the amount of \$5,000.00/Sub-Contract or \$1,000.00/Supplier/Vendor (per purchase or in accumulated amount in any fiscal year of the District) or more to engage in Affirmative Action practices.

I certify that I have answered all the foregoing questions and provided all the foregoing information correctly and truthfully to the best of my knowledge and ability.

Signature of Authorized Agent

Date

Title

Telephone Number

All information provided the Champaign Park District will be held in strictest confidence.

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AFFIRMATIVE ACTION CONTRACTOR'S COMPLIANCE REPORT

Part I: Identification

1. Company's main office address: _____

Telephone: _____ Fax: _____

Federal employer's identification number: _____

2. In what capacity would the company do business with the park district?
 Contractor Sub-contractor Vendor Supplier Other _____

3. Major activity of company (principle product or service). _____

4. Is the company presently pre-qualified to do business with the park district or other local and/or state government?
 Yes No *If yes with what agency(ies)?* _____

During the last 12 months has the company performed business with any governmental agency federal, state, county, municipal, school districts, etc.)?
 Yes No *If yes with what agency(ies)?* _____

Part II: Policies and Practices

A. Is the company's policy to recruit, hire, train, upgrade, promote and discipline persons without regard to race, color, religion, sex, national origin or ancestry, age or disability? Yes No

B. Has the company developed a written affirmative action policy?
 Yes No *If yes, a copy of the policy shall be provided to the District upon request.*

C. Does the company have an affirmative action officer or person responsible for affirmative action?
 Yes *If yes please complete.* No

Name: _____

Title: _____

Telephone: _____

C. Does the company have bargaining agreements with employee organizations?
 Yes No

If yes, have such organizations been notified of the company's responsibility to comply with the Champaign Park District's affirmative action program? Yes No

Comments: _____

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AFFIRMATIVE ACTION CONTRACTOR'S COMPLIANCE REPORT (CONTINUED)

E. Has the company notified all of its sub-contractors of their obligations to comply with the Champaign Park District's affirmative action program? Yes No

Comments: _____

Part III: Personnel Inventory

Occupations	White		Black		Hispanic		Other	
	Male	Female	Male	Female	Male	Female	Male	Female
Officials & Managers								
Professionals								
Technical								
Sales Workers								
Office & Clerical								
Crafts (skilled)								
Operatives (semi-skilled)								
Laborers (unskilled)								
Service Workers								
Apprentices (blue collar)								
On the job trainees (blue collar)								
On the job trainees (white collar)								
Totals								

The undersigned bidder/contractor/vendor/supplier has analyzed the workforce and submits the following workforce figures. The Champaign Park District will hold all information in the strictest confidence.

Above employee figures were obtained from: Visual check Employment records

Signature of Authorized Agent

Date

Title

Telephone Number