

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Dennis Andresky, Parks & Recreation Director 797-1151

PREPARED BY: Dennis Andresky, Parks & Recreation Director 797-1151

SUBJECT: Resolution

AFFECTED DISTRICT: Town wide

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AWARDED BID B-08-84, INCLUSIVE PLAYGROUND AT PINE ISLAND PARK TO KOOL PLAYGROUND, LLC. (AWARD AMOUNT OF \$178,589.63) AND ALLOCATING ADDITIONAL FUNDING IN THE AMOUNT OF \$45,348.63 FROM DISTRICT 2 OPEN SPACE BOND FUNDS TO PROVIDE SUFFICIENT FUNDING FOR BID AWARD

REPORT IN BRIEF: The Town conducted a formal bid (re-bid) to obtain a vendor to complete the partially completed Inclusive Playground Project at Pine Island Park. The project had been originally awarded in October of 2006 however, the vendor was not able to complete the project as contracted and their contract with the Town was terminated for default. The bid now being recommended for award was sent to thirty nine prospective vendors and advertised state-wide in Florida Bid Reporting, nationally in BidNet and posted on the Town's web site. Eight bid responses were received. Staff recommends bid award to Kool Playground LLC. This vendor's bid was the lowest responsive and responsible bidder and the only bid received which meets all of the requirements of the bid specification. The Bid Specification Committee supports the department's award recommendation.

Additional funding in the amount of \$45,348.63 is needed to provide sufficient funding for bid award. The calculation for the requested additional funding is as follows:

Funding allocated for 2006 bid award:	\$158,241.00
Amount Paid for work completed:	\$ 25,000.00
Funding available for project re-bid:	\$133,241.00
Current recommended bid award amount:	\$178,589.63
Funding available	\$ 133,241.00
Additional funding needed for bid award:	\$ 45,348.63

The Town has a \$75,000 grant from the Broward County Childrens Services Council for this project.

* The Additional Funding requested (\$45,348.63) will be reimbursed to the District 2 Open Space Bond account upon project completion and receipt of the noted grant funding.

PREVIOUS ACTIONS: Resolution R 2006-211 (Original project bid award).

CONCURRENCES: Parks & Recreation Department and Bid Selection Committee

FISCAL IMPACT: Yes

Has request been budgeted? Yes

If yes, expected cost: \$178,589.63.

Account Name: Pine Island Park Playground Expense

Additional Comments: Bid Award (\$178,589.63) Exceeds Projected Project Cost (\$150,000.00). Additional funding in the amount of \$45,348.63 is needed for bid award.

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RECOMMENDATION(S): Motion to approve the resolution

Attachment(s): Procurement Authorization, Bid Spec Documentation, W-9 form and Vendor/Bidder Disclosure Form

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AWARDED BID B-08-84, INCLUSIVE PLAYGROUND AT PINE ISLAND PARK TO KOOL PLAYGROUND, LLC. (AWARD AMOUNT OF \$178,589.63) AND ALLOCATING ADDITIONAL FUNDING IN THE AMOUNT OF \$45,348.63 FROM DISTRICT 2 OPEN SPACE BOND FUNDS TO PROVIDE SUFFICIENT FUNDING FOR BID AWARD

WHEREAS, the Town solicited sealed bids for the completion of the Pine Island Park Inclusive Playground Project; and

WHEREAS, Kool Playgrounds, LLC submitted the lowest responsive and responsible bid of eight bids received and the only bid that meets all bid specification requirements; and

WHEREAS, The Town's Bid Selection Committee recommends bid award to Kool Playgrounds, LLC; and

WHEREAS; after review, the Town Council wishes to award said bid to Kool Playgrounds, LLC and to provide additional funding in the amount of \$45,348.63 for bid award from District 2 Open Space Bond Funds.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council of the Town of Davie does hereby award the Pine Island Park Inclusive Playground bid to Kool Playgrounds, LLC.

SECTION 2. The Town Council hereby authorizes the allocation of additional funding (\$45,348.63) from District 2 Open Space Bond Funds which will be replenished once we get the \$75,000 grant from Broward County Childrens Services Council and the expenditure from the Parks and Recreation Department Pine Island Park Play Area Expense Account.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2008

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2008

ACCOUNT NUMBER. BUDGET ITEM & DESCRIPTION APPROXIMATE COST
 030-3404-572-6204 Davie Pine Island Park Inclusive Playground \$150,000
 P. I. PARK PLAY AREA EXP.

METHOD OF PROCUREMENT (check the one that applies)

- Open Competitive Bidding
- Piggyback on Contract Number _____
- Sole Source
- Request For Proposals

SPECIFICATIONS & LIST OF VENDORS MUST BE ATTACHED

Signed _____
 Department Head

Have Funds been Reserved REA. 37096

Date 5/13/08 Signed (NO)

Signed _____
 Town Administrator

BIDS SUBMITTED

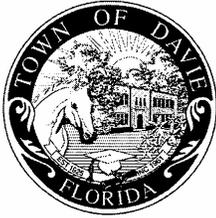
VENDOR	COST
* FLORIDA PLAY SYSTEMS	\$168,405.00
KOOL PLAYGROUNDS	178,589.63
ADVANCED RECREATION	193,536.08
DARCON GROUP CORP.	225,600.00
FHP TECTONICS	236,208.24
PLAYMOLE WEST	258,287.00
WEST CONSTRUCTION	252,976.00
HUNTER KNEPSEILD	298,824.60
DOMINICA	NO BID

* NON-RESPONSIVE BIDDER. SSB DEPT. RECOMMENDATION MEMO ATTACHED

Signed _____
 Procurement Manager

BID SPECIFICATION COMMITTEE'S RECOMMENDATION

Vendor	Cost
KOOL PLAYGROUNDS	\$178,589.63



PARKS AND RECREATION DEPARTMENT
6901 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1145 • FAX: 954.797.1148 • WWW.DAVIE-FL.GOV

Memorandum

TO: Herb Hyman, Procurement Manager

FROM: Dennis Andresky, Director Parks & Recreation 

SUBJECT: Inclusive Playground Bid Award
Recommendation

DATE: September 17, 2008

The Department received eight bid responses for Inclusive Playground Project Bid B-08-84 on 8/13/08.

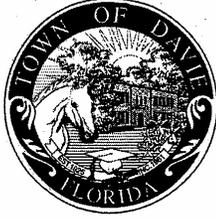
Kool Playgrounds, LLC is the recommended vendor for bid award based on the following:

1. Bid amount of \$178,589.63 is the second lowest bid received.
2. Bid submission meets all specification requirements.

The lowest bidder, Florida Play Systems, submitted a bid of \$168,405.00. However, this bid is not recommended because the shade system offered does not provide area coverage per the bid specification.

Additional funding in the amount of \$45,348.63 is needed to provide sufficient funding for bid award due to the following. This bid (re-bid) was conducted in order to obtain a vendor to finish a partially completed project. The project was originally awarded in October of 2006 however, the vendor was not able to complete the project per the required time of completion and the Town terminated the agreement for default. The original award was for \$158,241.00. The vendor was paid \$25,000.00 for work completed prior to the default being processed. After deducting the noted payment, the account for the project had a balance of \$133,241.00. It was estimated that completing the project would cost \$150,000.00. The recommended bid amount is \$178,589.63 which is \$45,348.63 more that is available.

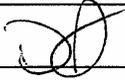
Please advise if additional information is needed.



PARKS AND RECREATION DEPARTMENT
6901 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1145 • FAX: 954.797.1148 • WWW.DAVIE-FL.GOV

Memorandum

TO: Herb Hyman, Procurement Manager

FROM: Dennis Andresky, Director Parks & Recreation 

SUBJECT: Inclusive Playground Bid Award Recommendation

DATE: August 22, 2008

The Department received eight bid responses for INCLUSIVE PLAYGROUND PROJECT Bid B-08-84 on 8/13/08.

Kool Playgrounds, LLC was the second lowest bidder and the only vendor to submit a bid response that meets all bid specification requirements. It is recommended that the bid be awarded to Kool Playgrounds, LLC at a cost of \$178,598.63.

The following is a list of the other vendors that submitted bid responses and the reasons they are not recommended for bid award consideration:

1. Florida Play Systems **Bid Amount \$168,405.00**
 - a. Shade System does not provide coverage for area as specified in Bid Specification Attachment "C" Shade Canopy System.
2. Advanced Recreational Concept, LLC **Bid Amount \$193,535.08 / \$220,098.90**
 - a. ADA Mulch product not specified.
 - b. Vendor Disclosure Form not provided.
 - c. Provided Certified Building Contractor documentation not General Contractor license as specified.
3. Dacron Group Corporation **Bid Amount \$225,600.00**
 - a. Schematic for shade canopy clearance above play equipment not provided.
 - b. Rubber Time Pour N Play Surfacing not approved alternate.

4. FHP Tectonics Corporation **Bid Amount \$236,208.24**
dba F.H. Paschen, S. N. Nielsen & Associates
a. Play Equipment product information not provided.
b. Shade Canopy product information not provided.
c. Surfacing product information not provided.
d. Workmanship & Warranty information not provided.
e. Vendor Disclosure Form not provided.
5. Playmore West, Inc. **Bid Amount \$250,287.00**
a. Spring Riders and Water/Sand Table play items not covered by shade canopy.
b. Schematic for shade canopy clearance above play equipment not provided.
c. ADA mulch product information not provided.
d. Vendor Disclosure not provided.
e. Provided Certified Building Contractor documentation not General Contractor license as specified.
6. West Construction, Inc. **Bid Amount \$252,976.00**
a. Playground Equipment product information/submittal not provided.
b. Schematic for shade canopy clearance above play equipment not provided.
c. Surfacing product information not provided.
d. Workmanship and warranty information not provided.
e. Vendor Disclosure form not provided.
9. Hunter Knepshield Company **Bid Amount \$298,824.60**
a. Schematic for shade canopy clearance above play equipment not provided.
b. ADA mulch product information not provided.
c. Vendor Disclosure form not provided.
d. General Contractor documentation not provided.

Please advise if additional information is needed.

Town of Davie Vendor/Bidder Disclosure

I, DENNIS TALBOT, being first duly sworn state that: KOOL PLAYGROUNDS, LLC
The full legal name and business address of the person(s) or entity contracting with the
Town of Davie ("Town") are as follows (Post Office addresses are not acceptable):

Name of Individual, Firm, or Organization: KOOL PLAYGROUNDS, LLC
Address: 109 E. 17th STREET
SAINT CLOUD, FL 34769
FEIN 02-0778299
State and date of incorporation FLORIDA 5-18-06

OWNERSHIP DISCLOSURE AFFIDAVIT

1. If the contract or business transaction is with a corporation, the full legal name and business address shall be provided for each officer and director and each stockholder who directly or indirectly holds five percent (5%) or more of the corporation's stock. If the contract or business transaction is with a trust, the full name and address shall be provided for each trustee and each beneficiary. All such names and address are as follows (Post Office addresses are not acceptable):

Full Legal Name	Address	Ownership
_____	_____	_____%
_____	_____	_____%
_____	_____	_____%
_____	_____	_____%

2. The full legal names and business addresses of any other individual (other than subcontractors, materialmen, suppliers, laborers, and lenders) who have, or will have, any legal, equitable, or beneficial interest in the contract or business transaction with the Town are as follows (Post Office addresses are not acceptable):

Full Legal Name	Address
<u>DENNIS R. TALBOT</u>	<u>109 E. 17th STREET ST. CLOUD, FL 34769</u>
<u>STUART KAMBER</u>	<u>109 E 17th STREET ST. CLOUD, FL 34769</u>
_____	_____
_____	_____

BID OPENING REPORT

BID NAME: Inclusive Playground @ Pine Island Park

TIME: 2:01 p.m.

BID NUMBER: B-08-84

DATE: 8.12.08

ESTIMATED COST: \$150,000

NO.	CONTRACTOR'S NAME	BID AMOUNT	COMMERCIAL RANKING
1.	Orp Dominica	No Bid	—
2.	West Construction	\$252,976.00	7
3.	Kool Playgrounds	\$178,589.63	2
4.	Hunter Kneppshield	\$298,824.60 Opt. 1 \$193,535.08	8
5.	Advanced Recreational	Opt. 2 \$220,098.90	3
6.	FHP Tectonics	\$236,208.24	5
7.	Florida Playsystems	\$162,405.00	1
8.	Darcon Group Corp.	\$225,600.00	4
9.	Playmore West	\$250,287.00	6
10.			

REMARKS

SPECS SENT TO THIRTY-NINE (39) PROSPECTIVE BIDDERS
TOWN REC'D NINE RESPONSES EIGHT (8) BIDS + ONE (1) NO BID RESPONSE

NOTE: THE ABOVE BID AMOUNTS HAVE NOT BEEN CHECKED, AND BID TOTALS ARE SUBJECT TO CORRECTION AFTER THE BIDS HAVE BEEN COMPLETELY REVIEWED.

THIS IS ONLY A FINANCIAL RANKING OF ALL THE BIDS RECEIVED. THE USING DEPARTMENT IS RESPONSIBLE FOR REVIEWING THE BIDS FOR COMPLIANCE WITH ALL THE BID SPECIFICATIONS PRIOR TO SUBMITTAL OF LETTER OF RECOMMENDATION.

PURCHASING OFFICIAL: Angela Salvia

DATE: 8.12.08

WITNESS: [Signature]

DATE: 8.20.08

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS



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[No Events](#) [No Name History](#)

Detail by Entity Name

Florida Limited Liability Company

KOOL PLAYGROUNDS, LLC

Filing Information

Document Number L06000053580
FEI Number 020778299
Date Filed 05/18/2006
State FL
Status ACTIVE

Principal Address

109 E. 17TH ST.
ST. CLOUD FL 34769
Changed 06/14/2007

Mailing Address

109 E. 17TH ST.
ST. CLOUD FL 34769
Changed 06/14/2007

Registered Agent Name & Address

TALBOTT, DENNIS R
1653 FLOUNDER STREET
ST. CLOUD FL 34771 US

Manager/Member Detail

Name & Address
Title MGR
TALBOTT, DENNIS R
1653 FLOUNDER STREET
ST. CLOUD FL 34771

Annual Reports

Report Year Filed Date
2007 04/10/2007

2008 04/26/2008

Document Images

- 04/26/2008 -- ANNUAL REPORT [View image in PDF format](#)
- 04/10/2007 -- ANNUAL REPORT [View image in PDF format](#)
- 05/18/2006 -- Florida Limited Liability [View image in PDF format](#)

Note: This is not official record. See documents if question or conflict.

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No Events **No Name History**

Entity Name:

Form W-9
(Rev. November 2005)
Department of the Treasury
Internal Revenue Service

**Request for Taxpayer
Identification Number and Certification**

Give form to the requester. Do not send to the IRS.

Name (as shown on your income tax return)
Kool Playgrounds, LLC

Business name, if different from above

Check appropriate box: Individual/Sole proprietor Corporation Partnership Other Exempt from backup withholding

Address (number, street, and apt. or suite no.)
109 E. 17th Street

City, state, and ZIP code
St. Cloud, FL 34769

Requester's name and address (optional)

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

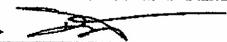
Social security number								
OR								
Employer identification number								
0	2	0	7	7	8	2	9	9

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here Signature of U.S. person  Date **10-1-07**

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

In 3 above, if applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

For federal tax purposes, you are considered a person if you are:

- An individual who is a citizen or resident of the United States,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or
- Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

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FEIN 02-0778299
State and date of incorporation FLORIDA 5-18-06

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Full Legal Name	Address	Ownership
_____	_____	_____%
_____	_____	_____%
_____	_____	_____%
_____	_____	_____%

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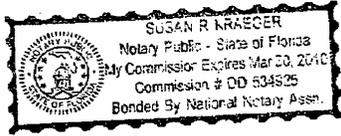
Full Legal Name	Address
<u>DENNIS R. TALBOT</u>	<u>109 E. 17th STREET ST. CLOUD, FL 34769</u>
<u>STUART KAMBER</u>	<u>109 E 17th STREET ST CLOUD, FL 34769</u>
_____	_____
_____	_____

By: [Signature]
Signature of Affiant

Date: 8-22-08

DENNIS TALBOT
Print Name

SUBSCRIBED AND SWORN TO or affirmed before me this 22 day of Aug 2008, by _____, ~~he~~ she is personally known to me or has presented _____ as identification.



[Signature]
Notary Public, State of Florida at Large
SUSAN R. KRAEGER
Print or Stamp of Notary
00534925
Serial Number
My Commission Expires 3-3-2010

AC# 3407779

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD
SEQ# L0709120138Z

DATE	BATCH NUMBER	LICENSE NBR
09/12/2007	068128627	CGC051998

The GENERAL CONTRACTOR
Named below IS CERTIFIED
Under the provisions of Chapter 489 FS.
Expiration date: AUG 31, 2008

BARRY, JAMES EDWARD
BARRY ENTERPRISES
2321 EMPEROR DRIVE
PO BOX 4201018
KISSIMEE

FL 34742-1018

CHARLIE CRIST
GOVERNOR

HOLLY BENSON
SECRETARY

DISPLAY AS REQUIRED BY LAW