

## AGENDA



Thursday, January 14, 2010

**Contract and Land Management  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 6**

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**Subject:** Authorize execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE with WE BUILD FUN, INC., Allen, TX, for the purchase and installation of a splash pad in Bailey Park in the amount of \$341,564 plus a \$17,349 contingency, for a total contract amount not to exceed \$358,913.

**Amount and Source of Funding:** Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Parks and Recreation Department.

**Fiscal Note:** A fiscal note is attached.

**For More Information:** Mike Jones 974-9476; Nancy McAleer 974-6719; April Thedford 974-7141

**Purchasing Language:** Cooperative Purchase

**MBE/WBE:** This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women Owned Business Enterprise Procurement Program). Although this contract is exempt under Chapter 791 of the Texas Government Code and no goals were established for this solicitation, 5.56% MBE and 9.08% WBE subcontractor participation has been met.

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This contract is for the purchase and installation of a new splash pad to replace the wading pool on the northwest side of Bailey Park. This contract will include design, permitting, demolition and removal of the existing wading pool, installation of new splash pad, ADA accessible sidewalk connections, 2 ADA parking spaces, mechanical room, electrical connection, and site re-vegetation. WE Build Fun, Inc. is under contract with the Texas Local Government Purchasing Cooperative to supply these materials and services statewide as a result of a competitive bidding process. Utilizing the Texas Local Government Purchasing Cooperative contract provides for the earliest delivery of equipment, in order for installation to be complete before the summer swim season.

The Parks and Recreation and Small Minority Business Resources staff worked closely with We Build Fun Inc. staff to encourage good faith efforts for MBE/WBE participation. We Build Fun, Inc. was able to obtain 5.56% MBE and 9.08% WBE subcontractor participation for this solicitation.

Due to the potential for unknown subsurface conditions and utility conflicts, a 5% contingency in funding has been included to allow for the expeditious processing of any change orders. The construction project has an estimated completion of June 1, 2010.