

**Request for Proposals  
City of Cuyahoga Falls**

**Quirk Cultural Center- Installation of Two (2) Pickleball Courts  
1201 Grant Avenue, Cuyahoga Falls, Ohio 44223 and  
Harrington Field- Installation of Two (2) Pickleball Courts  
2610 Oakwood Drive, Cuyahoga Falls, Ohio 44221**

**RELEASED BY THE CITY ON: February 3, 2023**

**RESPONSES DUE ON: February 17, 2023**

***NOTE:** This work falls under the Davis-Bacon Act, as amended (40 U.S.C. 276a to a-7) that that contractor shall supply the Community Development Department with certified payroll documentation. The Davis-Bacon and Related Acts will apply to contractors and subcontractors performing the construction related aspects of this project (installation) with federally funded or assisted contracts of \$2,000.00 or more. Under this Act, contractors shall be required to pay wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. A current copy of the prevailing wage will be attached to the Tech Spec and the contractor shall attach a copy of the prevailing wage to the bid proposal. The award of the contract shall be conditioned upon the acceptance of the wage determination.*

**INTRODUCTION**

The City of Cuyahoga Falls (City) is home to the Quirk Cultural Center, located at 1201 Grant Avenue, Cuyahoga Falls, Ohio 44223. Quirk Cultural Center is utilized for senior programming administered by our Parks and Recreation Department. The Department of Parks and Recreation desires to install (2) two regulation size pickleball courts at Quirk Cultural Center, located at 1201 Grant Avenue, Cuyahoga Falls, Ohio 44223, which targets programming to the city's senior citizen population and (2) two regulation size pickleball courts at Harrington Field, located at 2610 Oakwood Drive, Cuyahoga Falls, Ohio 44221 which is located in a low-to moderate income area of the city. The City of Cuyahoga Falls is soliciting prices from qualified companies that have experience in the installation of regulation size pickleball courts. **PROJECT**

**OVERVIEW**

The City of Cuyahoga Falls is seeking proposals to remove the existing asphalt surface and basketball goal posts and install two sets of (2) two new regulation size pickleball courts following the specifications listed below.

- a. Obtain any and all required permits and approvals through the City and County of

Summit Department of Building Standards.

- b. Remove the existing 56'x90' asphalt surface and basketball goal posts at Quirk Cultural Center.
- c. Shape sub-grade at each location.
- d. Install 6" #304 limestone base.
- e. Install 69'x65' 3 ½ asphalt pad.
- f. Reshape soil on the perimeter to promote proper drainage and install top soil to the same.
- g. Install a 4' fence, utilizing approved fencing material as outlined by the City of Cuyahoga Falls General Development Code, around the perimeter of the newly paved asphalt pad.
- h. Install two sets of (2) two new pickleball net post sleeves, net posts, and nets utilizing materials approved by the City's Parks and Recreation Department.
- i. Color a three coat acrylic surface using Novacrylic combination color surface system and line stripe. Final color to be determined.

## REQUIREMENTS

The successful contractor shall:

1. Have successful experience and knowledge working with the installation of regulation size pickleball courts.
2. Provide appropriate proof of insurance as directed by the City of Cuyahoga Falls.

## CONTRACT PROVISIONS

1. **Equal Employment Opportunity-** All construction (installation) contracts in excess of \$10,000 shall contain a provision requiring compliance with E.O. 11246, "Equal Employment Opportunity", as amended by E.O 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity" , and as supplemented by regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity Department of Labor"
2. **Copeland "Anti-Kickback" Act (18 U.S.C. 874 and 40 U.S. C. 276c)-** All contracts and subgrants in excess of \$2,000 for construction or repair shall include a provision for compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented by the Department of Labor regulations (29 CFR part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or sub-recipient shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work to give up any part of the compensation of which he is otherwise entitled. All suspected or reported violations shall be reported to the Federal awarding agency.

3. **Davis-Bacon Act, as amended (40 U.S.C. 276a to a-7)**- When required by Federal grant program legislation, all construction contracts awarded by Recipients and Sub Recipients of more than \$2,000 shall include a provision for compliance with Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR part 5, "Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction"). Under this Act, contractors shall be required to pay wages and laborers and mechanics at a rate not less than the minimum wages specified in a wage determination by the Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. The Recipient shall place a copy of the current prevailing wage determination issued by the Department of Labor in which solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. All suspected or reported violations shall be reported to the Federal awarding agency.
4. **Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330)**- Where applicable, all construction contracts awarded in excess of \$100,000. Contracts that involve the employment of mechanics or laborers shall include a provision for compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330), as supplemented by the Department of Labor regulations (29 CFR part 5). Under Section 102 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standards work week is permissible provided that the worker is compensated at a rate of not less than 1 ½ times the basic rate of pay for all hours worked in excess of 40 hours in the work week. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous on Federal and Federally financed and assisted construction projects. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
5. **Patent Rights to Inventions Made Under a Contract or Agreement**- Contract agreements for the performance of experimental, developmental, or research work shall provide for the patent rights of the Federal Government and the Recipient in any resulting invention in accordance with 37 CFR part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements", and any implementing regulations issued by the awarding agency.
6. **Clean Air Act (42 U.S.C. 7401. et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251, et seq), as amended**- Contracts and sub-grants of amounts in excess of \$100,000 shall contain a provision that requires compliance with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401, et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251, et seq.).

Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

- 7. Section 312 U.S.C. 1701 of the Housing & Community Development Act of 1968, as amended-** All contracts subject to Section 3 shall include the clause set forth at 24 CFR 135.38 as provided in the Section 3 rider.

## **NOTICE TO VENDORS**

The City will be selecting the lowest, most responsive bidder to this Request for Proposals

## **QUOTE REJECTION**

The City of Cuyahoga Falls reserves the right to reject a quote if the quote is conditional or incomplete, deemed non-responsive, or if it contains any alterations of form or other irregularities of any kind. The City may reject, any or all proposals, or waive any immaterial deviation in a proposal. The City's waiver of an immaterial deviation shall in no way modify the RFP document or excuse the vendor from full compliance with all other requirements if awarded the contract. A quote is considered responsive if it follows the required format and meets all deadlines and other requirements outlined in this RFP.

## **FORM OF CONTRACT**

The successful bidder shall be required to enter into a contract in the form prescribed or agreed to by the City of Cuyahoga Falls. The contract shall be valid from its execution through the completion of the scope of work.

## **TIMELINE**

All responses are due by **4:00 pm on February 17, 2023**. Submittals shall be forwarded in their entirety to Michael Fallis, Assistant Superintendent of Parks and Recreation for the City of Cuyahoga Falls, in electronic form. All submittals shall be emailed to [mfallis@cityofcf.com](mailto:mfallis@cityofcf.com). Proposals shall be reviewed and a contract shall be awarded on or about **February 21, 2023**.

## **RFP RESPONSE REQUIREMENTS A. Scope of Work Deliverables**

All responses to this RFP shall contain the services to be provided by contractor/vendor.

### **B. Response Requirements**

Responses shall contain the following:

1. An itemized breakdown of fees with separate pricing for permits, materials, and installation labor. Please note that this project is subject to the Davis-Bacon prevailing wage requirements for installation costs over \$2,000.
2. A project schedule, specifying procurement of required materials, delivery, and installation of the same for two (2) regulation size pickleball courts.

3. Qualifications and Experience of Key Personnel: Identify the person(s) that will be principally responsible for working with the City and leading this engagement.
4. Provide Insurance Coverage Details.

### **BID/QUOTE**

The bidder/company agrees that if their quote is accepted, the bidder/company will contract with the City to perform the work as outlined in the specification in accordance with a work schedule that is agreeable to the City.

### **EVALUATION OF PROPOSALS AND RECOMMENDATION**

All RFP responses will be evaluated by a committee of City of Cuyahoga Falls staff, including the Parks and Recreation Department and Community Development Block Grant Loan and Grant Committee.

Overall responsiveness and representations with the RFP are important factors in the overall evaluation process. The City will select a bidder/company that has the highest suitability to perform work for the City.

### **AWARD**

The City reserves the right to reject, any and all proposals, to waive any informality in the proposal process, and to accept the quote that appears to be in its best interests. The contract award will be announced on or about **February 21, 2023.**

### **QUESTIONS**

Please free to direct questions to Michael Fallis, Assistant Superintendent of Parks and Recreation for the City of Cuyahoga Falls, preferably by email, as shown below:

Michael Fallis; Assistant Superintendent of Parks and Recreation City  
of Cuyahoga Falls  
2310 Second Street  
Cuyahoga Falls, Ohio 44221  
[mfallis@cityofcf.com](mailto:mfallis@cityofcf.com) (330)  
971-8225- Office

### **SUBMISSION**

All responses are due by **4:00 pm** on **February 17, 2023.** Submittals shall be forwarded in their entirety to Michael Fallis, Assistant Superintendent of Parks and Recreation for the City of Cuyahoga Falls in electronic form. All submittals shall be emailed to [mfallis@cityofcf.com](mailto:mfallis@cityofcf.com). Proposals shall be reviewed and a contract shall be awarded on or about **February 21, 2022.**