



City of
FLORENCE
SOUTH CAROLINA

**INVITATION TO BID NO. 2024-05
PICKLEBALL COURTS**

Sealed bids will be received in the Office of Purchasing and Contracting, in the City Center, 324 W. Evans Street Florence, South Carolina 29501 until **February 6, 2024 at 2:30 pm** from licensed and qualified vendors to convert 3 tennis courts into 8 pickleball courts and resurface the remaining 8 tennis courts at Timrod Park. All bids are subject to the provisions of the conditions outlined in this document.

Bids shall be opened promptly at the above stated time and date and their contents will be made public for the information of the bidder and others properly interested. The bid will not be awarded until the Purchasing Agent and the Public Works Director have had ample time to review each bid.

Bids must be submitted in a sealed envelope with "2024-05 Pickleball Courts" clearly marked on the outside of the envelope for easy identification by the City of Florence. Any bids received later than the specified time will not be accepted/considered. The City will not be responsible for late submission caused by the postal service, other carriers, or any other delivery problems regardless of the reason. Email and/or electronic bids will not be accepted/considered. Bids submitted by mail, Federal Express, United Parcel Service, etc. must meet these same requirements and should be addressed to:

**City of Florence
City Center
324 W. Evans Street 3rd Floor
Florence, SC 29501-3431**

The City of Florence under Title VI of the Civil Rights Act of 1964 and related statutes ensures that no person shall on the grounds of race, color, national origin, sex, disability, and age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

La ciudad de Florencia en el Título VI de la Ley de Derechos Civiles de 1964 y los estatutos, se asegura de que ninguna persona por motivos de raza, color, origen nacional, sexo, discapacidad, edad, ser excluido de participar en, ser negado los beneficios de, o ser de otra manera sujeto a discriminación bajo cualquier programa o actividad que administra.

The City of Florence reserves the right to engage in discussions with any or all responsible Bidders who submit bids which appear to be eligible for award, for the purpose of clarification to assure full understanding of and responsiveness to the Invitation to bid requirements herein.

This solicitation does not commit the City of Florence to award a contract/purchase order, to pay any costs incurred in the preparation of a bid, or to procure or contract for services. The City of Florence reserves the right to reject any and all responses, to cancel this solicitation, and to make an award deemed in its own best interest.

Lynwood F. Givens
Purchasing Agent

MINORITY AND WOMAN OWNED BUSINESS

The City of Florence welcomes and encourages submissions from minority and woman owned businesses. Please indicate that you are a minority or woman owned business with your request for bid documents.

Minority Business Owners (minority or woman owned businesses) will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, creed, sex or national origin in consideration for an award. It is the policy of the City that minority business and women owned business enterprises (MBE/WBE) have an opportunity to participate at all levels of contracting in the performance of City contracts to the extent practical and consistent with the efficient performance of the contract.

LOCAL AND MINORITY BUSINESS ENTERPRISE PURCHASING PROGRAM:

When lowest bid is the principal determining factor in a bid selection process it is the intent of the City of Florence to provide preference first to local businesses within the City or County of Florence; however, if no local business is eligible or able to participate, preference shall then be provided by the City to minority business enterprises based on the following guidelines:

- a. For purposes of this policy, a “local business” is defined as a person, firm, contractor, corporation, or other business entity offering the services and/or products being bid by the City that maintain a place of business and have a physical business address located and operating within the City or County of Florence. The business must have been established for not less than one year within the City or County of Florence and have a valid City of Florence Business License for a minimum of 12 months prior to the bid date.
- b. For purposes of this policy, a minority business enterprise (MBE) is defined as an MBE that is certified in accordance with South Carolina Regulations § 19-445.2160, as authorized by §11-35-5270 the South Carolina Code of Laws, as amended.
- c. When lowest bid is the principal determining factor in the selection process any “local business” as defined in Subsection A above that submits a responsible and responsive bid within 5% (if the business is located within the City of Florence) or 3% (if the business is located within Florence County) of the non-local bidder who submitted the lowest bid may match the bid submitted by the non-local bidder. A “local business” that is within the percentage guidelines of the lowest bid received shall then be eligible for award of the contract.
- d. If the lowest bid is not a “local business” and a “local business” is within the percentage guidelines of the lowest bid received, the “local business”, subject to the provision of Subsection H below, shall be awarded the contract if it is willing to provide goods or services at the same price of the lowest bid received.
- e. If conditions of Subsections C above are met and the qualified “local business” declines or is unable to match the lowest bid, then the option to do so moves to the next qualified “local business”, if such business' bid is within the percentage guideline of the lowest bid, and is similarly responsible and responsive.

- f. In the event there is no "local business" eligible or willing to match the lowest bid, the lowest responsible and responsive bid submitted by an MBE, if any, would be allowed the opportunity to match the bid submitted by the non-local bidder and thereby be awarded the contract when lowest bid is the primary determining factor in the bid selection process.
- g. If a procurement is to be made pursuant to state funding requirements, federal funding requirements, bond covenants, or other outside funding source requirements which prohibit or restrict local or MBE preference, then no local or MBE preference consideration will be given.
- h. The provisions for a local or MBE preference does not prohibit the right of the City to compare quality of materials proposed for purchase and compare qualifications, character, responsibility and fitness of all persons, firms, contractors, corporations, or other business entities submitting bids. Accordingly, the local or MBE preference for a particular procurement may be waived by the City Manager upon written recommendation and justification by the Department Director.

The successful company must ensure that all subcontractors, agents, personnel assigned by or employees of prime company and subcontractors are not discriminated against because of their race, color, religion, sex or national origin. Bidders must make positive efforts to provide equal employment opportunity for minority and women owned businesses.

INSTRUCTION TO BIDDERS

The successful bidder must be authorized to sell the stated product or perform the services outlined in the specifications of this bid document.

A responsible bidder means a bidder who has the capability in all respects to perform fully the requirements mentioned in the bid document and the integrity and reliability which will assure good faith performance.

A responsive bidder means a bidder who has submitted a bid which conforms in all respects to the invitation to bid requirements.

PROTEST PERIOD: Any actual or prospective bidder, OFFEROR, or supplier who is aggrieved in connection with the solicitation or award of a contract/purchase order may formally protest in writing to the Chief Financial Officer. The protest may be submitted at any time during the procurement process. However, if a prospective bidder, OFFEROR, or supplier wishes to protest, the formal protest must be submitted in writing and must be received by the City *no later* than seven (7) days from the date that the aggrieved actual or prospective bidder, OFFEROR, or supplier has been informed of the bid results by the Purchasing Agent. Protests received by the City following seven (7) days after evaluation results have been released by the Purchasing Agent will not be considered by the City.

DISPUTES: In cases of disputes as to whether or not an item or service quoted or delivered meets specifications, the decision of the City of Florence shall be final and binding on all parties. The Purchasing Agent may request in writing, the recommendation of the head of the City agency using the item or other objective sources.

DEVIATIONS: Any deviations from the specifications contained herein, must be noted in detail on the respondent's response for the City of Florence's consideration. Failure to submit

documentation of deviations shall be grounds for rejection of the item offered to the City of Florence.

CHANGES: Any changes in this invitation to bid after the purchase order/contract agreement has been awarded must be with the written consent of the Purchasing Agent or the City Manager; otherwise, the responsibility for such changes lies with the supplier. Any changes to the specifications in this invitation to bid package shall be in writing and an addendum will go out to all prospective respondents so each respondent can compete equitably.

INQUIRIES: Questions concerning this invitation to bid should be directed to the City Purchasing Agent, Lynwood F. Givens in writing by e-mail at lgivens@cityofflorence.com. The deadline for the submission of all inquiries is **January 30, 2024 at 5:00 pm**. **Any changes to the specifications in the bid package shall be in writing in an addendum. All Addendums will be posted on the City of Florence website at www.cityofflorence.com. It will be the responsibility of bidders to periodically check the website for addendums.**

OWNERSHIP OF MATERIAL: Ownership of all data, material and documentation originated and prepared for the City of Florence pursuant to this contract/purchase order shall belong exclusively to the City of Florence.

A complete copy of the City of Florence Purchasing Policies and Procedures Manual can be downloaded from the City of Florence website at www.cityofflorence.com

Bids must be signed by an individual legally authorized to offer the pricing and response to this invitation to bid. Any bid that is not signed will be discarded.

SCOPE OF WORK

The City of Florence is seeking bids from appropriate firms to convert 3 tennis courts into 8 pickleball courts and resurface the remaining 8 tennis courts at Timrod Park. The proposed project will provide a durable sport surface on which public play may be optimized. The City of Florence has selected a full acrylic latex color surface system but will consider accepting the bid of a “**true equivalent**”.

The existing courts are asphalt based and have court surfacing paint and striping. The 11 tennis courts at Timrod Park are all connected side by side, in a row, with no divider fencing. The project will include adding new net posts, fencing, and canopy benches. The address to the facility is 400 Timrod Park Drive with zip code 29501.

Bid Proposals should address all aspects of the proposed project, including but not limited to:

1. Application of a new wearing surface texture on existing asphalt tennis courts.
2. The correct amount of sand is to be added per barrel of surface material to create the requested court speed of an ITF Pace Rating of 2 (Medium Slow).
3. The contractor must ensure the surface to be coated is sound, smooth, and free from dust, dirt, or oily materials.
4. The existing tennis net posts on courts 9, 10, and 11 are to be removed. Sixteen new pickleball net posts are to be installed. The existing asphalt will need to be cut out and the new net posts should be stabilized in concrete.
5. In addition to the net posts, new fencing should be installed between each pickleball court. This fencing is requested to be 4 feet in height. The amount of 4-foot-high fencing will equal 444 linear feet in total. An additional 10-foot-high fence is to be installed

separating the courts to be converted and the existing tennis courts. The linear feet of the 10-foot-high fencing should equal 117. All the fencing to be added is displayed by red dots and dashes in attachment #1. All new fencing should be black with a vinyl coat.

6. Three new 8-foot-long cabana benches are to be installed at the center intersection points between the pickleball courts. The locations are marked by blue rectangles in attachment #1. The cabana benches selected are manufactured by SunTrends, Inc. The exact models are the 8-foot, direct burial, two sided flat, with a pacific blue canvas color. Three additional 8-foot-long cabana benches are to be installed where the existing benches are located between tennis courts 2 and 3, 4 and 5, as well as 6 and 7. The pre-existing canopy benches will need to be removed. The city will provide an area for disposal.
7. The fences, net posts, and cabana benches should all be installed prior to the new court surface being installed. Also prior to the application of surfacing materials, the entire surface should be flooded, and checked for minor depressions or irregularities.
8. An acrylic patch binder will be applied to all low areas. Tack coat patch material shall be applied to all needed areas and allowed to dry thoroughly prior to applying patch binder. After patching, the surface shall not vary more than 1/8 inch in ten feet measured in any direction.
9. One coat of black acrylic resurface material should be applied to the surface using a rubber bladed squeegee to provide a smooth surface. After this application, all court pinholes should be filled and covered to provide an even surface. No application shall be covered by a succeeding application until the layer is thoroughly cured.
10. Two coats of colored acrylic surface material shall then be applied by rubber bladed squeegee on the clean, dry surface. No application shall be covered by a succeeding application until previous application is thoroughly cured.
11. The finished surface shall have a uniform appearance and be free from ridges and tool marks.
12. USAPA and USTA regulation playing lines shall be installed by applying textured white line paint after the final surfacing agent has thoroughly cured. 10 and under USTA lines are to be installed on tennis courts 7 and 8.
13. Installation of the surfacing materials shall not be conducted during rainfall, or when rainfall is imminent. The air temperature must be at least 50 degrees Fahrenheit and rising. Surfacing materials may not be applied when the court surface temperature is above 130 degrees Fahrenheit.

Bids should include a surface material which provides at a minimum a three (3) year warranty. In addition, the bids should include a crack repair system, which provides at a minimum, a three (3) year warranty against the re-occurrence of the repaired cracks. There are an estimated 500 feet of cracks at each of the two facilities.

The City of Florence shall select 3 colors for the new pickleball court surface to include the outlying court area (green), service areas (blue), and non-volley zone (grey). The City of Florence has elected to keep the tennis court surfaces the same colors, green and blue. The lines should all be white, except for the 10 and under USTA lines. The 10 and under lines should in light blue.

It is the intent of the City of Florence to review options which provide the best value to the citizens of Florence. If selected, the successful responder shall have 120 days for completion of the project from the date of issuance of a *Notice to Proceed*. A penalty of \$100.00 per day may be withheld for non-completion within the time specified.

MANDATORY PRE-BID Conference

The City of Florence will not schedule a pre-bid meeting. It is suggested that bidders schedule a visit to the project site and examine the existing tennis courts prior to submitting their bid. A walkthrough of the area with a city staff member can be scheduled by contacting the city's Director of Tennis, Robert Hill, at 843-624-8754, or by email at rohill@cityofflorence.com.

BID RESPONSE

1. The Bid sheet on page 9 should include the bid price to include all costs for preparation, material, equipment, labor and supervision to for the construction of a single-family residence pursuant to the Invitation to Bid
2. Attach an estimated work Schedule
3. Attach the warranty information

The bid sheet on page 9 must be used in order for the bid to be accepted.

CRITERIA FOR BID AWARD

Firms are requested to submit three (3) copies of the bid on the City of Florence Bid sheet included in this invitation to bid. Please include an estimated construction schedule, warranty information and reference with you bid. The bid will be awarded to the lowest responsible/responsive bidder that best meets the City of Florence's specification/scope of work, taking into consideration but not limited to the following:

1. Price
2. Timeliness
3. Warranty

The City shall have sole discretion in evaluating the bids and qualifications of the responders. The City reserves the right to select the bid that it may determine to be in the best interest of the City. The City also reserves the right to reject any and all bids, including that of the selected bidder if satisfactory contract negotiations cannot be concluded.

BUSINESS LICENSE REQUIREMENT

It is required that all firms and all subcontractors awarded a contract agreement with the City of Florence, either secure a business license or update their current business license for the contract amount for any work that is to be done inside the city limits. The successful firm and all subcontractors shall be required to contact the Business License Coordinator, City Center 324 W. Evans Street, Suite 100, Florence, S.C. prior to commencement of work. The Business License Coordinator's phone number is (843) 665-3173. FAX (843) 665-3171.

SUB-CONTRACTORS LIST

A sub-contractors list is required for all work that is to be done inside the City. The list is to be sent to Lynwood F. Givens, Purchasing Agent at the Office of Purchasing and Contracting, City Center 324 W. Evans Street Florence, South Carolina. Please note if any sub-contractors are minority or women-owned businesses.

SALES TAX

The City of Florence pays SC sales tax in the amount of 8%. However, the City of Florence is exempt from Federal Taxes and will issue exemption certificates, if requested. **INCLUDE SALES TAX WITH YOUR BID.**

PERFORMANCE/PAYMENT BONDS

A performance and payment bond, each in the amount of 100% of the final contract price of the construction portion of this project will be required of the successful firm. The successful firm will be required to furnish the required performance and payment bonds within ten (10) business days after written notice of formal award of contract. Work will be required to commence within ten (10) days of written notice to proceed by the Purchasing Agent.

SC ILLEGAL IMMIGRATION REFORM ACT

By signing this bid or proposal, the Contractor certifies that it will comply with, and will remain in compliance with during the term of the contract, the applicable requirements of Title 8, Chapter 14 of the South Carolina Code of Laws and agree to provide to the City of Florence upon request any documentation required to establish either:

(a) that Title 8, Chapter 14 is inapplicable both to the Contractor and its subcontractors and/or sub-subcontractors; or

(b) that both the Contractor and its subcontractors and/or sub-subcontractors are in compliance with Title 8, Chapter 14.

Pursuant to Section 8-14-60, the Contractor agrees to include in any contracts with its subcontractors language requiring its subcontractors to:

(a) comply with the applicable requirements of Title 8, Chapter 14, and

(b) include in your contracts with any subcontractors language requiring the subcontractors to comply with the applicable requirements of Title 8, Chapter 14.

REQUIRED INSURANCE INFORMATION

The firm shall agree to hold harmless, indemnify and defend the City of Florence, South Carolina, its agents and employees from any claims for property damage or personal injury (including death resulting therefrom). Such claims include, but are not limited to, actual, consequential, incidental or punitive damages. The firm shall agree to maintain sufficient comprehensive general liability insurance, naming the City of Florence, South Carolina, as additional insured, in the amounts of \$1,000,000.00 per occurrence and \$1,000,000.00 per person. Proof of such insurance shall be given to the Purchasing Agent by an appropriate certificate-of-insurance issued by the firm's insurance agent.

Further, the firm shall agree to insure prior to commencement of work on the project (job), all subcontractors, agents, assigns or employees of prime firm and subcontractor shall agree to hold harmless, indemnify and defend the City of Florence, South Carolina, its agents and employees from any claims for property damage or personal injury (including death resulting therefrom). Such claims include but are not limited to, actual, consequential, incidental or punitive damages. Further, prior to commencement of work on the project (job), the firm shall insure that all subcontractors, agents or assigns of the firm, maintain sufficient comprehensive general liability insurance, naming the City of Florence, South Carolina, as additional insured, in

the amounts of \$1,000,000.00 per occurrence and \$1,000,000.00 per person. Proof of such insurance shall be given to the Purchasing Agent by an appropriate certificate-of-insurance issued by applicable entity's insurance agent.

With regards to comprehensive general liability insurance, claims may be made during or after the term or terms of the contract/purchase order agreement.

Vehicle liability insurance with minimum combined single limits of \$1,000,000.00 per occurrence shall be maintained by the firm.

The successful firm shall take out and maintain, during the life of the contract agreement, workers' compensation and employer's liability insurance for all employees to be engaged in services on this project under this agreement in an amount not less than \$1,000,000.00, and in case any such services are sublet, the firm shall require all subcontractor(s) also to provide workers' compensation and employer's liability insurance in an amount not less than \$1,000,000.00 for all of the subcontractor's employees to be engaged in such.



City of
FLORENCE
SOUTH CAROLINA
PICKLEBALL COURTS
INVITATION TO BID 2024-05

Total cost (including tax) including materials, equipment, fuel, labor, supervision, and all other resources necessary to complete the project as described in the invitation to bid.

TOTAL BID: \$ _____

Authorized Signature Printed Name Date

Company Name

Federal Tax ID. E-Mail Address

Mailing Address (Include Zip Code)

Telephone Number Fax Number