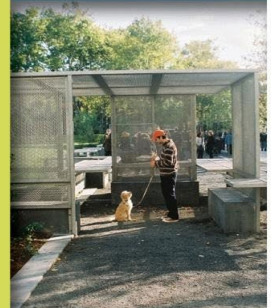




Philadelphia  
Redevelopment  
Authority



# Request for Proposals (RFP)

*Pelbano Playground*

*8101 Bustleton Ave, Philadelphia, PA 19152*

*6/20/23*

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### Attachments:

0. Division 0 (Bidding and Contract Requirements and Bid Sheet)
1. Division 1 (General Requirements)
2. Division 2-33 (Technical Specifications)
  - A. Construction Drawings
  - B. Additional Information
  - C. Proposal Application Package



# Application Process

On behalf of the City of Philadelphia ("City"), the Philadelphia Redevelopment Authority ("PRA") is pleased to issue this Request for Proposals ("RFP") for qualified prime contractors (each, an "Applicant" and together, the "Applicants") for the Pelbano Playground project located at 8101 Bustleton Ave, Philadelphia, PA 19152. This project is part of the City's Rebuilding Community Infrastructure Program ("Rebuild").

## Submission Deadline

Applicants must submit a response/proposal (a "Response") no later than **3:00 PM, Thursday, 7/13/23**; absolutely no Response will be accepted after that time.

## Mandatory Pre-Bid Meeting

All Applicants must attend the mandatory pre-bid meeting onsite at **8101 Bustleton Ave, Philadelphia, PA 19152** at **10:00 AM** on **Tuesday, 6/27/23**.

The names and contact information for all attendees at the pre-bid meeting will be posted on PHDC's website as public information within a few days of the pre-bid meeting.

## Questions/Requests for Additional Information

PRA will accept questions and requests for additional information directed in writing to [RFP@phdc.phila.gov](mailto:RFP@phdc.phila.gov) **up to 3:00 PM on Wednesday, 7/5/23**. Questions, responses, and additional information will be posted on the PRA Website within **5 business days** of this date.

## Related Parties

Applicants may submit only one Response to this RFP. Individuals or businesses that are legally related to each other or to a common entity may not submit separate Responses. The PRA and City, in their sole and absolute discretion, retain the right to reject any Response where:

1. Applicants or principals of Applicants are substantially similar or substantially related parties; or;
2. The PRA and City have determined that the Applicant has violated these conditions or the spirit of these conditions.

## Submission Process

1. Responses will only be accepted in the following manner:

Online Submission – via the electronic portal on PHDC's website  
Online Submission – via the electronic portal on PHDC's website (<http://www.phdcphila.org>);

## Disqualification

Responses will be disqualified if:

1. They are submitted after the specified deadline;



2. They are submitted by some means other than the format listed above. The PHDC website portal is the only means that will be accepted. Responses sent via email, Dropbox or other electronic venues will be disqualified;
3. If the Response package is incomplete.

**Bid Price**

The PRA will award this Project to the Response determined to be the most responsive based on the criteria explained below. Bid price is one of these criteria, though the Project will not necessarily be awarded to the lowest bidder. Bidders must complete and submit the Construction Bid Proposal Form located in Attachment 0, Division 0 (Bidding and Contract Requirements).

**Bid Bonds**

Bidders must complete and submit the Bid Bond Form located in Attachment 0, Division 0 (Bidding and Contract Requirements).

**Schedule**

The timeline for this opportunity is as follows:

| <b>Event</b>   | <b>Date</b>                         |
|--|-------------------------------------|
| RFP posted   | <i>Tuesday, 6/20/23</i>             |
| Mandatory Pre-Bid Meeting, in person                             | <i>Tuesday, 6/27/23 @ 10:00 AM</i>  |
| Questions and requests for additional information due to the PRA | <i>Wednesday, 7/5/23</i>            |
| Answers to Question posted by PRA                                | <i>Friday, 7/7/23</i>               |
| Proposals due from Applicant                                     | <i>Thursday, 7/13/23 by 3:00 PM</i> |
| Respondent selected (Estimate)                                   | <i>Monday 7/24/23</i>               |

PRA reserves the right, in its sole discretion, to alter this schedule as it deems necessary or appropriate.

**Project Description/Scope of Work**

Pelbano Playground project located at 8101 Bustleton Ave, Philadelphia, PA 19152 proposes mill and overlay of existing basketball court, court paint and equipment installation, removal of existing playground equipment and safety surface, installation of new playground equipment and safety surface, removal and replacement of benches and their foundations, new tree and shrubbery plantings, removal and replacement concrete at sprayground and replacement of sprayground heads.

For completed scope of work please refer to the Construction Drawings (Attachment A) and the Specifications (Attachment 2). This project is part of the City’s Rebuilding Community Infrastructure Program ("Rebuild").



## Project EOP Requirements Summary

Diversity and inclusion is a pillar of the Rebuild program and the Economic Opportunity Plan (Attachment C, Form 04A) will establish goals for achieving the objectives of diverse business inclusion and workforce diversity. The following is a summary of Rebuild project EOP requirements, specifically Contract and Workforce participation goals.

**Diverse Business Inclusion** shall mean each Project Contractor’s Best and Good Faith Efforts to provide meaningful and representative opportunities for Minority Business Enterprises (“MBEs”) and Woman Business Enterprises (“WBEs”) (collectively, “M/WBEs”). As a benchmark for the Project Contractor’s expression of its Best and Good Faith Efforts to provide meaningful and representative opportunities for M/WBEs the Project, the following contract participation ranges have been developed. These contract participation ranges represent, in the absence of discrimination in the solicitation and selection of M/WBEs, the percentage of M/WBE participation that would be reasonably attainable on this Project through the exercise of the Project Contractor’s Best and Good Faith Efforts:

### Contract/Workforce Participation Goals

|      | Contract Category     | Certification Type | Goal   |
|------|-----------------------|--------------------|--------|
| 1.a. | Professional Services | MBE                | 25-30% |
| 1.b. | Professional Services | WBE                | 15-20% |
| 2.a. | Construction          | MBE                | 30-35% |
| 2.b. | Construction          | WBE                | 15-20% |

For purposes of calculating contract participation:

- In order to maximize opportunities for as many businesses as possible, a business that is certified in two or more categories (e.g., MBE and WBE) will only be credited toward one participation range as either an MBE or WBE. The business will not be credited toward more than one category.
- In addition to certification, businesses must be registered with the City of Philadelphia’s Office of Economic Opportunity (“OEO”) as MBE and/or WBE in order to count toward contract participation goals for Diverse Business Inclusion. Visit [phila.mwdsbe.com](http://phila.mwdsbe.com) for more information.
- Only first and second-tier vendors will be included in the contract participation calculation. See the table below for more details:

|   | <u>TIER</u>                       | <u>EXAMPLE</u>   |
|---|-----------------------------------|--|
|   | <b>Project Lead</b>               | <b>PRA</b>   |
| Included; counts toward participation goals | <b>1<sup>st</sup>-Tier vendor</b> | <b>General Contractor</b><br>(i.e., the Project Contractor signing this Project EOP) |
| Included; counts toward participation goals | <b>2<sup>nd</sup>-Tier vendor</b> | <b>Subcontractor</b>   |



|   |  |                        |
|---|--|------------------------|
| Not Included; does not count toward participation goals | 3 <sup>rd</sup> -Tier vendor and below | Further subcontractors |
|---|--|------------------------|

The Project Contractor agrees to exhaust its Best and Good Faith Efforts to employ an appropriately Diverse Workforce which will include minority persons and females at all tiers of employment and management. An appropriately Diverse Workforce is one which reflects the local availability and historic utilization of Philadelphia residents, and also recognizes underutilization of diverse workers across all trades. The following are expressed as hourly project employment goals for workforce participation:

### Workforce Goals (% of Construction Workforce Hours)

|      | Labor Category    | Sub-Category     | Goal      |
|------|-------------------|------------------|-----------|
| 1.a. | Journeyman        | African American | 27%       |
| 1.b. | Journeyman        | Hispanic         | 15%       |
| 1.c. | <u>Journeyman</u> | <u>Asian</u>     | <u>3%</u> |
| 1.d. | Journeyman        | Minority - Total | 45%       |
|      |                   |                  |           |
| 2.a. | Laborers          | Minority         | 60%       |
| 2.b. | Skilled           | Minority         | 40%       |
|      |                   |                  |           |
| 3.a. | Laborers          | Women            | 5%        |
| 3.b. | Skilled           | Women            | 5%        |
|      |                   |                  |           |
| 4.   | Local             |                  | 50-60%    |

### Response Submission Requirements

- 1. Cost Proposal.**  
Submitted on Company letterhead.
- 2. Construction Bid Proposal Form.** Located in Division 0 (Bidding and Contract Requirements).
- 3. Bid Bond.** Located in Division 0 (Bidding and Contract Requirements).
- 4. Proposal Application Checklist.** Located in Attachment C, Form 01 (Proposal Application Package).
- 5. Approach to Project Delivery.** Located in Attachment C, Form 02. Not to exceed one page. Describe your approach to carrying out the scope of work on time/budget, and strategies that make your firm qualified to best perform these services. Please include a detailed Proposed



Project timeline, Logistics Plan, and proposed Project Management Team including Dedicated Project Foreman.

6. **Qualifications and 3 project examples.** *Located in Attachment C, Form 03B*  
Describe past experiences with similar projects. Please cite projects performed for the City of Philadelphia or other public/governmental agencies. Please include examples of projects that were completed on time and on budget.
7. **Statement on Economic Inclusion.** *Not to exceed one page.*  
Provide a narrative, on company letterhead, describing Applicant's commitment to engaging certified Minority Business Enterprises ("MBE") and Woman Business Enterprises ("WBE") in subcontracting, in procuring goods and services, and employing a diverse workforce, including in the skilled trades. If Applicant is a Certified MBE, WBE or DBE and registered in the City of Philadelphia's Office of Economic Opportunity (OEO) registry; please submit information to confirm Certification and Registration as part of bid proposal. Provide a plan for meeting contract and workforce participation goals (subcontractors, etc.) for this Project, which will build on commitments made in subsequent forms.
8. **Signed Rebuild Economic Opportunity Plan.** *Located in Attachment C, Form 04A.*  
Reviewed and signed by company executive. Applicant must commit to the Rebuild Economic Opportunity Plan and submit it with you Response. This Project will require the selected Applicant to exhaust its best and good faith efforts to reach goals for diverse business inclusion and to employ and appropriate diverse and local workforce. The specific goals for this Project are listed in the Economic Opportunity Plan.
9. **Rebuild Contract Participation Form.** *Located in Attachment C, Form 04B.*  
Template provided in Excel. Show project projected value and certification of Prime and individual Subcontractors for the total value of submitted bid.
10. **Office of Labor Standards Documentation of Best and Good Faith Efforts Workforce Diversity Goals.** *Located in Attachment C, Form 04C.*  
Applicants provide information pertinent to workforce diversity, required by the Office of Labor Standards, including a weekly breakdown demonstrating how workforce participation goals will be met.
11. **Rebuild Past Contract Participation Detail Form.** *Located in Attachment C, Form 04D.*  
Template provided in Excel. Show past examples of contractor work with subs on projects achieving minority participation goals.
12. **Rebuild Workforce Development Program Commitment Form.** *Located in Attachment C, Form 04F.*  
Applicants shall participate in the support of Rebuild Workforce Development Programs, including through the hire of trade apprentices from Rebuild's Workforce Development Programs and partnering with trades unions for the duration of the project, where appropriate.





13. **Rebuild Workforce Diversity Worksheet.** *Located in Attachment C, Form 04F.*  
Show project projected value and certification of Prime and individual Subcontractors for the total value of submitted bid.
14. **Declarations and Other Information.**  
Response must also include the completed forms identified in the Declarations and Other Information below.
15. **Payment & Performance Bonding Statement.** *Include this statement as part of Attachment C, Form 06.*
16. **Review the attached list and consider solicitation of Rebuild Ready vendors (Attachment B, Section 06), as well as Emerging Vendor Program vendors (found in the OEO database):**
  - a. <https://www.phila.gov/documents/rebuild-resources-for-businesses/>
  - b. <https://phila.mwdsbe.com/>

## Evaluation & Selection

PRA intends to award this Project to the Applicant that best demonstrates the level of experience, skill and competence required to perform the services called for in this RFP in the most efficient, cost-effective, and professional manner **and in a manner, that is consistent with the contract and workforce participation goals of the Rebuild initiative.** The PRA will initially review the Responses to determine compliance with the Response Submission Requirements. Only Responses that comply with these requirements will be considered for evaluation. If no Response meets these requirements, the PRA may allow all Applicants to supplement their Responses to conform to these requirements.

PRA will evaluate Applicants based on the following factors:

1. Base bid price;
2. Appropriateness of firm for the scope of work, and able to complete project in a high-quality standard; on time and on budget;
3. Commitment of GC meeting proposed contract participation goals in the bid;
4. Track record of economic inclusion in contracting and workforce development, including history of prime meeting EOP goals;
5. Prior experience and proven track record working with the City, PRA, and/or other public agencies;
6. Demonstrates financial capability to complete the project;
7. Application complete and applicant eligible, including compliance with requirements listed in the RFP.
8. Any other factors the PRA considers relevant to the evaluation of the responses.

## Office of Labor Standards Considerations

1. The **prime** is the company who bids and is awarded the contract to perform work for the *Rebuild* initiative.
2. The **prime** on the project is responsible for all **subs** and **sub tiers**.





3. The prime is responsible for ensuring that certified payroll is being submitted into the LCP tracker system each week, even if this is a responsibility delegated to the subs and sub tier companies for their workers.
4. If subs and sub tier companies are not submitting certified payroll weekly, the Office of Labor Standards will make contact with primes to request that a memo be sent to subs and sub tiers to immediately provide certified payroll.
5. Primes are responsible to inform foremen on each construction site that representatives from the Office of Labor Standards will periodically and at random conduct compliance interviews and visits. All workers on site (including workers from sub and sub tier companies) are required if requested and/or may request to speak with Office of Labor Standards representatives during unannounced visits.
6. **All contractors** must submit certified payroll each week or non-work forms.
  - a. Proof of fringes should be submitted and will be requested during the project by Remittance reports or pay stubs.
7. **Individual Reminders:**
  - a. **Gates and Chain-link fencing** – When installing, the Office of Labor Standards requires a composite crew of Laborer’s and Iron workers. Laborers for **building** are to be paid at a class Two rate and for **Heavy Highway** Group Two rate.
  - b. **Playground Equipment** - When installing playground equipment, the Office of Labor Standards requires Non Landscape workers.
8. All wage rates will be classified as either:
  - a. **Building** - Rate to use related to scope of work on a building
  - b. **Heavy and Highway** – Rate to use related to scope of work on anything other than a building
9. **Please note** the following details related to wage rates
  - a. For projects that include both building and non-building related scopes of work, both wage rates will be applicable
  - b. If construction is not underway within 180 calendar days of contract execution, projects will be subject to updated prevailing wage rates.
  - c. Work completed as part of a Change Order is subject to the wage rates locked in at the time of contract execution or reassessment as indicated in #9 above.

**If there are questions or concerns regarding any of the above, please contact Curtis Bronson with the Office of Labor Standards via phone (215.988.8092) or email (Curtis.Bronson@phila.gov)**

## Events of Disqualification or Default

Subsequent to the selection of an Applicant, and before execution of the Contract, the PRA may treat any of the following as an event of disqualification or default:

1. Unilateral withdrawal by the selected Applicant;
2. Failure to proceed substantially in accordance with the Response as submitted;
3. Failure by the Applicant for any reason whatsoever to timely execute the Contract when tendered;
4. Material misrepresentation, omission, or inaccuracy contained in any document submitted either as part of the Response, or subsequent thereto. For the purposes of this section, the PRA places particular importance on the information required by the Applicant in the City of Philadelphia Questionnaire & Financial Statement for Qualifying Bidders and the Campaign Contribution Disclosure Forms;
5. Failure to provide in a timely manner the additional material required after selection



throughout the PRA selection process.

Upon the happening of an event of disqualification or default by the selected Applicant, PRA shall have the right, at its election, to:

1. Rescind its selection; or
2. Declare null and void a Contract that may already have been executed.

## Declarations and Other Information

### Rebuild Initiative - Managing Director's Office

Rebuild is a historic investment of hundreds of millions of dollars in neighborhood parks, recreation centers and libraries across Philadelphia. Proposed in Mayor Jim Kenney's first budget as a part of his vision for a more equitable Philadelphia, Rebuild's promise to acknowledge history, engage the community and invest intentionally seeks to uplift pivotal community spaces, empower neighborhoods, and promote economic opportunity through diversity and inclusion.

Rebuild will also help to provide employment opportunities for Philadelphians and support upward mobility. Rebuild is a chance to offer historically underserved and under-represented populations, in particular people of color and women, with high-quality job and contracting opportunities. Rebuild will work with unions, contractors, lenders, and other partners to invest in supports and services to achieve the goals of improving the diversity of the building trades, growing minority- and women-owned business enterprises (M/W/DS/BEs), and increasing opportunities for and participation of M/W/DSBE contractors and professional services firms.

### Rebuild Payment Procedures

Applications for payment shall be submitted monthly, and include the following back up documentation:

1. Schedule of Values approved by the project manager
2. Narrative of work completed during the pay application pay period and work planned for next period
3. All subcontractor invoices billed
4. Large or Custom Material invoicing billed
5. Verification of Certified Payroll in LCP Tracker (Prime, and all tier Subcontractors)
6. Payment verification to M/WBE subs and suppliers
7. Updated project construction schedule
8. Payment verification will be conducted by the Rebuild EOP monitor

### Rebuild Project Management

A Submittal log example is provided in Attachment B.04. The Submittal Log template will be provided at the pre-construction meeting to the selected vendor/contractor. and is to be maintained and updated per the project specifications by the contractor for the project team, to track the submittal, return, resubmission of all Project Documents, Product Submittals, Samples, and Shop Drawings.



Rebuild projects require that Project Users, Lead Designers, and General Contractors utilize Rebuild's Project Management Information System built on the Oracle Primavera Unifier. For more information, view Attachment B.05.

### **Campaign Contribution Disclosure Forms**

Please complete the applicable disclosure forms (Attachment C.05b) and submit with your proposal.

### **Philadelphia Tax Status Certification and Conflict of Interest Form**

Applicants, upon request of the PRA, must provide evidence satisfactory to the PRA that all municipal taxes, including business taxes, real estate, school, water and sewer charges, if applicable, are current for both the individual Applicant and the Applicant's firm, and that neither is currently indebted to the City; will at any time during the term of the contract be indebted to the City, for or on account of any delinquent taxes, liens, judgments, fees or other debts for which no written agreement or payment plan satisfactory to the City has been established. Please complete the Philadelphia Tax Status Certification and Conflict of Interest form (Attachment C.05a) and submit it with your Response.

### **Compliant with City of Philadelphia Revenue Department**

Selected applicant must have a current City of Philadelphia Business Activity License and have a valid contractor's license, which must be provided to the City in advance of project start.

### **City of Philadelphia Questionnaire & Financial Statement for Qualifying Bidders**

Please complete the applicable questionnaire and financial statements (Attachment C.03a) and submit with your proposal.

By submitting a Response to this RFP, an Applicant affirmatively acknowledges: (i) its acceptance of the terms and conditions of this RFP; (ii) the PRA may exercise in its sole discretion the following rights; and (iii) the PRA may exercise the following rights at any time and without notice to any Applicant:

1. to reject any and all Responses;
2. to supplement, amend, substitute, modify or re-issue the RFP with terms and conditions materially different from those set forth here;
3. to cancel this RFP with or without issuing another RFP;
4. to extend the time period for responding to this RFP;
5. to solicit new Responses;
6. to conduct personal interviews with any Applicant to assess compliance with the selection criteria;
7. to request additional material, clarification, confirmation or modification of any information in any and all Responses;
8. to negotiate any aspect of a Response, including price;
9. to terminate negotiations regarding any and all Responses at any time;
10. to expressly waive any defect or technicality in any Response;
11. to rescind a selection prior to Contract execution if the PRA determines that the Response does not conform to the specifications of this RFP;
12. to rescind a selection prior to Contract execution if the PRA determines that the specifications contained in this RFP are not in conformity with law or that the process in selection of an Applicant or Response was not in conformity with law or with the legal obligations of the PRA;



13. in the event a Contract is awarded, the successful Applicant or Applicants shall procure and maintain during the life of the Contract liability insurance in an amount to be determined prior to the award of the Contract;
14. in the event a Contract is awarded, all Applicants agree to perform their services as an independent contractor and not as an employee or agent of the PRA;
15. in the event a Contract is awarded, all Applicants agree that no portion of performance of the contract shall be subcontracted without the prior written approval of the PRA; and
16. each Applicant agrees to indemnify, protect and hold harmless the PRA from any and all losses, injuries, expenses, demands and claims against the PRA or the City sustained or alleged to have been sustained in connection with or resulting from (i) the submission of the Applicant's Response; (ii) the delivery by the Applicant to the PRA of any other documents or information; and (iii) any other conduct undertaken by the Applicant in furtherance of or in relation to the Applicant's proposal. Each Applicant agrees that its duty to indemnify and hold harmless shall not be limited to the terms of any liability insurance, if any, required under this RFP or subsequent contract.

**The PRA is under no obligation whatsoever to Applicant as a result of this RFP. The RFP does not represent any commitment on the part of the PRA to Applicant or the Project. In no event shall the PRA be responsible for any cost, expense or fee incurred by or on behalf of Applicant in connection with the RFP. Applicant shall be solely responsible for all such costs, expenses and fees.**

**NOTICE: The PRA is subject to the Pennsylvania Right to Know Law. Any information provided in your Response to this may be subject to disclosure to the public. Documents provided in response to this RFP may also be required to be disclosed by applicable law, subpoena, and/or court order.**

