



# Addendum No. 1

Date Issued: February 24, 2021

RFP Name: Demolish and Install Playground Equipment for 17 Elementary Sites RFP

RFP# 2021-PUR-002

Questions (answers in red)

1. Will a performance and payment bond be required for this contract?  
**Yes**
2. Is site restoration (seed & straw) to be included at applicable sites? or  
Do you have a specific seed and straw specification?  
**Grass seed: Macho mix grass 95% elite turf fescue, 5% perennial turf rye grass. Straw:  
No specifications.**
3. Does the school district have a specific concrete specification/mix design for the  
concrete curbs?  
**Curb needs to be 6 inches wide, 12 inches tall, 4,000psi concrete, 2- # 4 rebar 3 inches  
from the top and 3 inches from the bottom, running horizontally.**
4. It is highly unusual for the playground installer to provide an additional insured to the  
playground manufacturer, especially since we will not have any form of contract with  
them. Why is this in section 4.5? What are we suppose to be insuring? I am not sure that  
we can legally do this as we would be indemnifying the manufacturer of the equipment  
and taking that liability upon ourselves. This would only make sense if a pre-arranged  
relationship with the manufacturer was in place.  
**The district will retain this requirement in its solicitation for bids, you are permitted to  
bid.**

5. Page 4, Section 5.1.1.1 and 6.1.1.1 require that the contractor for this project is a member of the National Playground Contractors Association, Inc as well as a certified installer for PlayPower LT Farmington.

These requirements seem to violate the case law for Missouri competitive bidding statues as set forth in Byrne & Jones Enterprises, Inc vs. Monroe City R-1 School District. These two requirements create a situation where only 1 company, Ideal Play and Surfacing, can respond to this RFP. This violates the principle where all who wish to bid can do so in a fair and equitable process where no favoritism is shown.

As an installer who has completed numerous projects of this scope before, has Nationally recognized certifications, and who is excluded from obtaining these specified certifications due to not being professionally/monetarily associated with these institutions, will I be allowed to bid?

The district will retain these requirements in is solicitation for bids, you are permitted to bid.