

RESOLUTION NO. 12 , 2023

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PLAYCORE WISCONSIN INC. D/B/A GAMETIME THROUGH OMNIA PARTNERS FOR THE PURCHASE OF PLAYGROUND EQUIPMENT

WHEREAS, the Administration has determined that it is necessary to replace certain playground equipment within Swaim Park for which the Public Works Department has appropriately budgeted; and

WHEREAS, the purchase of goods or services in excess of Fifty Thousand Dollars (\$50,000) requires City Council approval and competitive bidding unless an exception to competitive bidding is recognized; and

WHEREAS, R.C. § 9.48 permits the City as a participant in a Joint Purchasing Program operated by or through a national or state Association of Political Subdivisions to purchase equipment without separate competitive bidding; and

WHEREAS, the City of Montgomery has an active account with Omnia Partners, a national cooperative purchasing association of Local Governments, which has partnered with GameTime to facilitate the cooperative procurement of playground equipment; and

WHEREAS, the Administration has determined that separate bids for the purchase of playground equipment likely would exceed the price available through Omnia Partners and GameTime, and likely result in an unreasonable delay for the delivery and installation of this equipment.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. The City Manager is authorized to reaffirm the City's Cooperative Purchasing Agreement with Omnia Partners which updates the current participation relationship dating to January 15, 2011. A copy of the Master Intergovernmental Cooperative Purchasing Agreement is attached hereto as Exhibit A.

SECTION 2. The City Manager is authorized to acquire through Omnia Partners, and specifically PlayCore Wisconsin Inc. d/b/a GameTime, its cooperative procurement supplier, playground equipment for the installation at Swaim Park, as more fully detailed on Exhibit B attached hereto, at a total purchase price of One Hundred Three Thousand Seven Hundred Eleven and 67/100 Dollars (\$103,711.67).

SECTION 3. The City Manager further is authorized to advance funds as necessary to secure any prepayment discounts and to execute such additional documentation as may be required to complete this purchase.

SECTION 4. This Resolution shall be in full force and effect from and after its passage.

PASSED: March 1 2023

ATTEST: Connie M. Gaylor
Connie M. Gaylor, Clerk of Council

Craig D. Margolis
Craig D. Margolis, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon
Terrence M. Donnellon, Law Director



P.O. Box 208 Harrison, OH 45030
 Toll Free 800-762-7936
 Fax 330-821-4505
 www.dwarec.com
 info@dwarec.com

01/28/2023
 Quote #
 100201-01-09

Swaim Park - GameTime Playground Equipment - 1.28.2023

Montgomery Parks & Recreation
 Attn: Julie Machon
 7315 Cornell Road
 Montgomery, OH 45242
 Phone: 513-337-8317
 jmachon@ci.montgomery.oh.us

Project # 100201
Job # 100201-01
Ship to Zip 45242

Quantity	Part #	Description	Unit Price	Amount
1	RDU	GameTime - PowerScape Playstructure (GMONSWAIM-3.10.22-DM)- Ages 5 - 12; Aluminum Uprights	\$78,470.00	\$78,470.00
1	RDU	GameTime - 3 Bay PrimeTime ADA Swing Bay - - (1) Expression Swing Tot Seat Package - (1) Expression Swing Adaptive Seat Package - (4) Belt Seat Packages	\$10,140.00	\$10,140.00
1	RDU	GameTime - (3) - 6' P/S Bench W/Back Inground with Extensions	\$3,325.02	\$3,325.02
1	EWf-12	GT-Impax - (198 CY) of Engineered Wood Fiber at a 12" Compacted Depth	\$5,506.00	\$5,506.00
1	RDU	GameTime - Installation of Playground Equipment, Benches, & EWF Surfacing - by Certified GameTime Installers	\$27,615.00	\$27,615.00
Contract: OMNIA #2017001134			Sub Total	\$125,056.02
			Discount	(\$24,435.31)
			Freight	\$3,090.96
			Total	\$103,711.67



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Remit Payment to:

GameTime
P.O. Box 680121
Fort Payne, AL 35968

Taxes:

All applicable taxes will be added at time of invoicing unless otherwise included or a tax-exempt certificate is provided.
If sales tax exempt, you must provide a copy of certificate to be considered exempt.

Prices:

FOB Factory.

Orders:

All orders shall be in writing by purchase order, contract, or similar document made out to PlayCore Wisconsin Inc., dba GameTime.
Standard GameTime equipment orders over \$100,000 may require a deposit of 25% at the time of order and an additional 25% at or before order ships.
Standard orders with equipment, installation and surfacing are requested to be split billed.
Equipment, Taxes & Freight as noted above
Installation and Surfacing billed as completed and Due Upon Receipt.

Terms:

Cash With Order Discount (CWO): Orders for GameTime equipment paid in full at time of order via check, Electronic Funds Transfer (ACH or wire) are eligible for a three percent (3%) cash with order discount.

Payment via credit card: If you elect to pay by credit card, GameTime charges a 2.50% processing fee that is assessed on the amount of your payment. This fee is shown as a separate line item and included in the total amount charged to your credit card. You have the option to pay by check, ACH or Wire without any additional fees.

Credit terms are Net 30 days, subject to approval by the GameTime Credit Manager. A completed credit application must be submitted and approved prior to the order being received. Please allow at minimum 2 days for the credit review process. GameTime may also require:

Completed Project Information Sheet (if applicable)

Copies of Payment and Performance Bonds (if applicable)

A 1.5% per month finance charge will be imposed on all past due invoices.

Retainage not accepted.

Orders under \$5,000 require payment with order.

Due to the current COVID-19 crisis, shipping times might be extended beyond what is noted.

Due to volatility of fuel prices, freight charges may change at time of delivery.

Payment terms: Payment in full, net 30 days subject to credit approval. A 1.5% per month finance charge will be imposed on all past due accounts. Equipment will be invoiced separately from other services and shall be payable in advance of those services and project completion.

Force Majeure: No Party to this Agreement shall be responsible for any delays, price increases, or failure to perform any obligation under this Agreement due to acts of God, outbreaks, epidemic/pandemic or the spreading of disease or contagion strikes or other disturbance, including, without limitation, war, insurrection, embargoes, governmental restrictions, acts of governments or governmental authorities, and any other cause beyond the control of such party. During an event of force majeure, the Parties' duty to perform obligations shall be suspended.



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OMNIA Partners Contract Number: 2017001134

To order: Please complete the acceptance portion of this quotation and provide color selections, purchase order copy and other key information requested.

This quote does not include any state or local sales taxes. Sales tax will be added to the order if required, unless otherwise noted.

Acceptance of this proposal indicates your agreement to the terms and conditions stated herein.

Omnia Partners Purchase Orders must be made out to:

GameTime
 c/o DWA Recreation, Inc.
 P.O. Box 208
 Harrison, OH 45030

Once equipment is ordered, the owner assumes that the equipment is being installed according to the ASTM standards for layout and design. Additionally, the owner shall check to make sure that all appropriate fall zones are current and compliant. In the event that the owner has to return the equipment, both inbound and outbound freight will be charged along with a 25% restocking fee.
GameTime Shipping Time: Current shipping time for GameTime is approximately 13 - 15 weeks. Please allow an additional 7-10 days for transit.

Short Ship Claims: Purchaser has 14 days from receipt of equipment to file a short ship report in writing to our office. Company reserves right to not honor claims made after this time.

GTImpax Engineered Wood Fiber Delivery Time: Typical lead time for delivery is minimum 2 - 3 weeks. Delivery is based on a single delivery to one location per truck, additional drops not included unless specifically noted above. Please confirm current delivery time when placing order.

Note: Delayed shipping permitted up to 4 months, at which time surfacing needs to be delivered or paid in full.

Bulk material ships via semi-truck/trailer with a live floor system in trailer which allows driver to deposit EWF directly onto a specific area provided proper access is available. Driver has final say whether the site has proper access. Site restoration is not included and will be the responsibility of the owner/owner's representative.

Extended Lead Times Expected

Please be advised this Quote contains product(s) which may require extended lead times. Lead times may vary depending on the products selected.
Shipping Time: Estimated Ship time is 10-12 weeks for certain items on this quote. Please verify current lead time when placing order. Allow 7-10 days for actual transit time.

Short Ship Claims: Purchaser has 14 days from receipt of equipment to file a short ship report in writing to our office. Company reserves right to not honor claims made after this time.

Installation Terms:

- The above pricing is based on installation over natural earth and does not include any site work including excavation or drainage, unless otherwise noted on this quote.
- This pricing does not include receiving and storage of the equipment prior to installation.
- Any existing wood chips, asphalt, or playground equipment, in the area where the new structure will be located, must be removed by the owner unless otherwise noted on this quote.
- The play area site would need to be level prior to installation.
- An area will need to be provided for the disposal of excess dirt created when augering holes. Spoils to be left on site unless otherwise noted.
- Access to a dumpster will need to be provided for the disposal of packaging materials and old equipment (if applicable).
- The above pricing is based on non-prevailing wage rates unless otherwise noted.

Please note, you are required by Ohio law to contact "Ohio Utilities Protection Service" at 1-800-362-2764 before any excavation or installation takes place. Because their questions will relate to the location of the site, we ask you to please contact them personally. This should be done within a two week period but not less than four days prior to installation, as they will need 48 hours to mark off the site.



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GameTime Standard Colors

- Accent/Basic/Metal Colors: Yellow, Butterscotch, Orange, Red, Burgundy, Royal Purple, Periwinkle, Blue, Sky Blue, Sea Mist, Azure, Ocean, Spring Green, Chartreuse, Ice Mint, Ice Butter, Sage, Green, Dark Green, Bronze, Brown, Beige, Champagne, Vanilla, White, Metallic, Starlight Black, Black
- Deck Colors: Gray, Blue, Brown, Chocolate
- Plastic Colors: Yellow, Orange, Red, Burgundy, Royal Purple, Periwinkle, Blue, Sky Blue, Azure, Spring Green, Chartreuse, Green, Brown, Beige, Champagne
- HDPE Colors: Yellow, Orange, Red, Burgundy, Purple, Blue, Sky Blue, Spring Green, Green, Brown, Beige, Dolphin Gray, Black
- 2 Color HDPE: Yellow/Black, Orange/White, Red/White, Burgundy/White, Purple/White, Blue/White, Sky Blue/White, Azure/White, Spring Green/White, Green/White, Brown/White, Beige/Green, White/Black, Gray/Black, Black/White
- Special Rock: Sandstone, Deep Granite
- Wallcano Handholds: Red, Green, Blue, Beige
- Site Recycled Plastic Lumber: Gray, Tudor, Sand
- VistaRope Standard: Black, Natural, Brown, Green, Yellow, Sky Blue, Red
- VistaRope Custom: Green/Brown, Sky Blue/Yellow, Red/Sky Blue, Red/Black

You may view Additional Color options and pre-designed play palettes on <https://www.gametime.com/resources/colors-and-color-palettes>

Acceptance of Colors from 3D Rendering

Please initial here if ordering colors from 3D Rendering: _____

Order Information:

Bill To: _____	Ship To: _____
Contact: _____	Contact: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Tel: _____	Tel: _____
Fax: _____	Cell Phone: _____
eMail: _____	Fax: _____
	eMail: _____

Project/Site Location: _____

Contact: _____

Address: _____

City, State, Zip: _____

Tel: _____

Fax: _____

eMail: _____

Coordinates or Description of Location: _____



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Acceptance of quotation:

Accepted By (printed): _____

Date: _____

Title: _____

P.O. No: _____

Telephone: _____

Fax: _____

Purchase Amount: **\$103,711.67**

SALES TAX EXEMPTION CERTIFICATE #: _____ (PLEASE PROVIDE A COPY OF CERTIFICATE)

Customer Signature

Quote prepared by: Grant Greiwe

Sales Representative: Grant Greiwe