

# CITY OF COLONIAL HEIGHTS, VIRGINIA



**INVITATION # SP 23-082202-1138**

**STATEMENT OF QUALIFICATIONS TO REFURBISH  
AND COVERT TWO TENNIS COURTS INTO EIGHT  
PICKLEBALL COURTS**

**REQUEST FOR PROPOSAL**

**PROPOSAL DUE: AUGUST 22 2023, 2:00 PM**

**CITY PROJECT MANAGER:  
CRAIG SKALAK, DIRECTOR OF PARKS AND RECREATION  
[SKALAKC@COLONIALHEIGHTSVA.GOV](mailto:SKALAKC@COLONIALHEIGHTSVA.GOV) CELL: 804-922-0048**

City of Colonial Heights  
Purchasing Department  
201 James Avenue – P.O. Box 3401  
Colonial Heights, VA 23834-9001  
Larry H. Melvin, Purchasing Agent  
(804) 520-9333 Fax (804) 524-8723  
[melvinL@colonialheightsva.gov](mailto:melvinL@colonialheightsva.gov)

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Sealed Proposals, subject to the specifications and conditions contained herein and attached hereto, will be received at the above office until, but no later than **2:00 PM, August 22 2023**, for state of qualifications from contractors, to furnish the necessary labor, materials, equipment and supervision to refurbish and convert two tennis courts into eight (8) pickleball courts, here in the City of Colonial Heights VA.

Your proposal to be considered must be submitted in the format requested herein. If for any reason you deviate from this Request for Proposal, indicate the reason in detail. Other than minor deviations, no alternative proposal will be considered. **Three (3) copies of your proposal must be submitted in a sealed envelope.** All firms shall sign their proposal and return by the time specified. Failure to comply with these requirements may be cause for rejection of proposal.

Time is of the essence, and any proposal received after the announced time and date for submittal, whether by mail or otherwise, will be rejected. It is the sole responsibility of the offeror for ensuring that their proposals are stamped by Purchasing Department personnel or designated personnel before the deadline outlined above.

Nothing herein is intended to exclude any responsible firm or in any way restrain or restrict competition. On the contrary, all responsible firms are encouraged to submit proposals. The City of Colonial Heights encourages all businesses, including minority and women-owned businesses to respond to all invitations to Bid and Request for Proposals.

The City may, if deemed necessary, ask for interviews with all or several of the firms submitting proposals. It is not the City's intent to provide interviews prior to receipt and evaluation of written proposals.

The right is reserved to reject any or all proposals submitted and also, to make award where it appears it will be to the best interest of the City.

Any proposal submitted, MUST be signed by an individual authorized to bind the offeror. All proposals submitted without such signature will be deemed non-responsive and will not be accepted.

Questions relating to this Request for Proposal should be directed to Mr. Craig Skalak, Director of Parks and Recreation, Cell: (804) 922-0048, email: [skalac@colonialheightsva.gov](mailto:skalac@colonialheightsva.gov).

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### Proprietary Information

The Code of Virginia states: “Trade secrets or proprietary information submitted by a bidder, offeror, or contractor in connection with a procurement transaction shall not be subject to public disclosure under the Virginia Freedom of Information Act; however, the bidder, offeror, or contractor must invoke the protections of this section prior to or upon submission of the data or other materials, and must identify the data or other materials to be protected and state the reasons why protection is necessary.”

### Minority Bidders

The City of Colonial Heights Purchasing Department encourages all businesses, including minority and women-owned business to respond to all invitations to Bid and Requests for Proposals.

### Availability of Funds

It is understood and agreed between the parties that the City of Colonial Heights shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purpose of this agreement.

### Choice of Law and Venue

Any disputes under a resulting contract, that cannot be resolved between the City of Colonial Heights and the contractor, must be resolved in the Circuit Court of the City of Colonial Heights. Any resulting contract shall be governed by the laws of the Commonwealth of Virginia. The contractor shall comply with all applicable federal, state and local laws and regulations now in effect or hereafter adopted.

### Termination of Contract

It shall be the sole right of the City to terminate any contract upon written thirty (30) day notification to the contractor.

### Nondiscrimination Clause

In accordance with Section 2.2-4311 of the *Code of Virginia*, every contract for goods or services over \$10,000 shall include the following provisions:

1. The contractor will not discriminate against any employee or applicant for employment because of disability, race, religion, sex or national origin except where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

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2. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.
3. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

The contractor shall include the provisions of the foregoing paragraphs, 1, 2 and 3 in every subcontract or purchase order over \$10,000 so that the provision will be binding upon each subcontractor or vendor.

#### Ethics in Public Contracting

By submitting their proposal, all offerers certify that their proposal is made without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other offer, supplier, manufacturer or sub-contractor in connection with their proposal, and that they have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised unless consideration of substantially equal or great value was exchanged.

#### Drug Free Workplace

In accordance with Section 2.2-4312 of the Code of Virginia, during the performance of this contract, the contractor agrees to:

1. Provide a drug-free workplace for the contractor's employees
2. Post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, possession, or use of a controlled substance or marijuana is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition.
3. State in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace
4. Include the provisions of the foregoing clauses in every subcontract or purchase order over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

For the purpose of this section, "drug free workplace" means a site for the performance of work done in connection with a specific contract awarded to a contractor.

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### Faith-Based Organizations

In accordance with Code of Virginia, Section 2.2-4343.1, the City of Colonial Heights does not discriminate against faith-based organization.

### Insurance

The Contractor shall be required to indemnify and hold harmless the City of Colonial Heights. The Contractor shall purchase and maintain in force, at his own expense, such insurance as will protect him, the City from claims which may arise out of or result from the Contractor's execution of the work, whether such execution be by himself, his employees, agents, subcontractors, or by anyone whose acts any of them may be liable. The insurance coverage shall be such as to fully protect the Owner, the Engineer (if applicable) and the general public from any and all claims for injury and damage resulting by any actions on the part of the contractor or his forces as enumerated above. The contractor shall furnish a copy of an original Certificate of Insurance, naming the City of Colonial Heights as additional insured. Should any of the policies be canceled before the expiration date, the issuing company will mail 30 days written notice to the certificate holder. The contractor shall furnish insurance in satisfactory limits on forms and of companies which are acceptable to the Owner's Attorney and or Risk Management and shall require and show evidence of insurance coverage on behalf of any subcontractors (if applicable), before entering into any agreement to sublet any part of the work to be done under this contract.

The contractor will provide a minimum of liability insurance as follows:

- Workmen's Compensation – Statutory Limits
- Contractors liability covering all operations performed by the contractor or any subcontractor with limits of not less than \$1,000,000 combined single limit. Sub contractors are subject to the same limits and must submit certificates of insurance to this office. All certificates of insurance must name the City of Colonial Heights as additionally insured.
- Automobile liability insurance-all owned, non-owned and hired automobiles with same limits as in (b) above.

Certification of above insurance requirements will be required before the issuance of an award. Also required to be submitted with the insurance certificate is the complete address, phone number and contact person for the insurance company. The authorized agent signing on behalf of the Insurance Company must submit certification that they are a licensed agent to do business for the Company within the State of Virginia.

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### Hold Harmless

The successful offer shall indemnify and save harmless the City and its employees, offices, and all of its departments, division, and authorities from all claims, loss, damage, injury liability, costs and expense of whatsoever kind or nature (including attorneys fees) caused by or resulting from the Offeror's negligent performance of any of the services furnished under this agreement.

### Contractor's Classification

The contractor should have the proper classification for this project:

- "Class A contractors" perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is \$120,000 or more, or (ii) the total value of all such construction, removal, repair, or improvements undertaken by such person within any 12-month period is \$750,000 or more.
- "Class B contractors" perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is \$10,000 or more, but less than \$120,000, or (ii) the total value of all such construction, removal, repair or improvements undertaken by such person within any 12-month period is \$150,000 or more, but less than \$750,000.
- "Class C contractors" perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is over \$1,000 but less than \$10,000, or (ii) the total value of all such construction, removal, repair, or improvements undertaken by such person within any 12-month period is less than \$150,000. The Board shall require a master tradesmen license as a condition of licensure for electrical, plumbing and heating, ventilation and air conditioning contractors.

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Purpose

The City of Colonial Heights VA Seeks a contractor to refurbish and convert two (2) tennis courts (approximately 1612 SY) to 8 pickleball courts. The courts are located across from the City's Fleet Maintenance Building, which is located at 501 Lake Avenue, Colonial Heights VA.

The work will include:

- Remove existing tennis center straps, anchors and concrete footers
- Remove existing tennis net post foundations with PVC sleeves.
- Mill in place existing asphalt and stone base, stabilize with cement and pave with virgin mix asphalt.
- Furnish and install 8 new pickle ball center strap anchors and concrete footer.
- Furnish and install new pickleball 16 net post foundations with PVC sleeves.
- Furnish and install 8 sets of pickle ball net post with internal wind system.
- Furnish and install 8 center straps.
- Furnish and install 8 pickleball nets
- Flood and patch standing water not in USTA-ASBA Tolerance
- Apply two coats of acrylic resurfacer to new courts
- Apply tow coats of acrylic color to new courts
- Apply one line of priming coat and two textured line paint coast for pickleball playing lines
- Add concrete curb around courts

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Work will include (continued)

New Fencing: Sleeve – over 10’ tall black perimeter vinyl fence system, add new black vinyl fencing and adjust elevation to 6’, with top rail and bottom tension wire.

Furnish and install 4’ tall black vinyl court divider fence system with top rail and bottom tension wire.

Federal Funds

Federal funds will be used to pay for half of this project. Please see the attached items, dealing with using Federal funds. The below items will apply to any contract issued to the contractor.

- Build America, Buy America Act: the act required that all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United State.
- Contract provision for non-federal entity contracts under federal awards.
- Conflict of interest policy for the City of Colonial Heights VA when spending Federal Funds
- Uniform guidance procurement policy for use when spending federal money guidelines to be utilized by the City of Colonial Heights VA.

Performance and Subcontractor Payment Bond

If awarded the contract, the contractor will provide to the City a performance bond and a subcontractor payment bond, for the total amount of the work (two separate bonds)

RFP Responses:

- In order to be considered for selection, offerors must submit a complete response to the RFP. One (1) original and (2) copies of each proposal must be submitted. No other distribution of the proposal shall be made by the offeror.



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Proposal Preparation:

- Proposal shall be signed by an authorized representative of the offeror. All information requested should be submitted. Failure to submit all information requested may result in the City requiring prompt submission of missing information and/or giving a lowered evaluation of the proposal. Proposals which are substantially incomplete or lack key information may be rejected the City.
- Proposals should be prepared simply and economically, providing a straightforward, concise description of capabilities to satisfy the requirements of the RFP. Emphasis should be placed on completeness and clarity of content.
- Each copy of the proposal should be bond or contained in a single volume where practical. All documentation submitted with the proposal should be contained in that single volume.
- Ownership of all data, material, and documentation originated and prepared for the Agency pursuant to the RFP shall belong exclusively to the City and be subject to public inspection in accordance with the Virginia Freedom of Information Act. Trade secrets or proprietary information submitted by an offeror shall not be subject to public disclosure under the Virginia Freedom of Information; however, the offer must invoke the protections of 2.2-4342F of the Code of Virginia, in writing, either before or at the time the data or other material is submitted. The written notice must specifically identify the data or material to be protected and state the reasons why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information. The classification of an entire proposal document, line item prices, and/or total proposal prices as proprietary or trade secrets is not acceptable and will result in rejection of the proposal.

Specific Proposal Instructions

Proposals shall be as thorough and detailed as possible so that the City may properly evaluate your capabilities to provide the required services. Offerors are required to submit the following items as a complete proposal:

1. Return the RFP cover sheet and all addenda acknowledgments, if any, signed and filled out as required.

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2. Brief information about your company, including years in business and number of employees. Please list any certifications your company may have concerning tennis courts/pickle ball construction.
3. Resumes of the staff to be assigned to the project, identifying the project leader.
4. Previous relevant experience in work of similar size and scope, including all relevant data. Please list similar experience with other local/state governments.
5. Propose time line for completion of this work, based on the scope of work in this proposal
6. Please list five (5) recent references for which you have provided the type of service the City desires.
7. Financial proposal

#### Evaluation Criteria

Submittals will be evaluated by the panel on the following criteria:

- A. Qualifications of the firm. (20%)
- B. Key individuals that will be assigned to this City Project. (15%)
- C. The firm's experience in proving goods and services similar to those described in this Request for Proposal. (25%)
- D. References, focusing on local/state government in the State of Va. (20%)
- E. The firm's small, woman-owned and Minority owned (SWAM) business status and/or the firm's plan for utilization of SWAN businesses. (10%)
- F. The firm's financial proposal. (10%)

#### Awarding

The procurement method is competitive negotiation of other than professional services, as defined in Section 2.2-4301 of the Code of Virginia (1950) as amended. The specific requirement for the contents of the proposals are contained in this Request for Proposal. Offerers are encouraged to provide additional information not specifically identified as a requirement if that additional information enables the proposal to better suits the needs of the City. **In order to procure the vendor that best suits the needs of the City, the competitive negotiation process and evaluation criteria consider factors in addition to cost.**

Selection shall be made of two or more offerors deemed to be fully qualified and best suited among those submitting proposals, on the basis of the factors involved in the Request for proposal, including price if so

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stated in the Request for Proposal. Negotiations shall then be conducted with each of the offerors so selected. Price shall be considered, but need not be the sole determining factor. After negotiations have been conducted with each offeror so selected, the City shall select the offeror which, in its opinion, has made the best proposal, and shall award the contract to that offeror.

If necessary, the City reserves the right to develop a short list of qualified proposals and to conduct interviews with the submitting firms. These short list interviews will be conducted in City offices and the City will determine the schedule.

Should the City determine in writing and in its sole discretion that only one offeror is fully qualified, and its proposal is clearly superior to the other, then a contract may be negotiated and awarded to that offeror.

#### Submission Information

All proposals must be received in the Colonial Heights Purchasing Department **no later than Tuesday, August 22, 2023 by 2:00 PM**. Proposals via facsimile or email will not be accepted. All proposals must be signed in ink by principal (s).

**Proposals must be submitted in a sealed envelope, clearly marked "Invitation # 23-082202-1138, Refurbish and Convert 2 Tennis Courts into 8 Pickleball Courts, Closing time: 2:00 PM August 22 2023,**

Please send proposal to the following address:

City of Colonial Heights –Finance/Purchasing Department  
Larry H. Melvin, Purchasing Agent  
P. O Box 3401, 201 James Avenue 2<sup>nd</sup> Floor  
Colonial Heights, VA 23834

The City of Colonial Heights shall not be responsible for any expense incurred by the firm in preparing and submitting a proposal or expenses incurred related to subsequent inquiries or interviews for evaluation or contract negotiations. All proposals submitted shall become the property of the City. All submissions are final and may not be withdrawn.

Firms who submit a response to this Request for Proposal may be required to make an oral presentation of their proposal with participation by the designated key personnel. If requested by the City, failure to provide an oral presentation or provide additional information, within a reasonable period of time, shall be reason for the City to consider the firm's offer non-responsive. The City reserves the right to request clarification of information submitted and to request additional information of any or all offerors.

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Non-Collusion Statement

My signature certifies that the proposal as submitted complies with all Terms and Conditions as set for in Request for Proposal # 23-082202-1138

My signature certifies that the accompanying proposal is not the result of or affected by, any unlawful act of collusion with another person or company engaged in the same line of business or commerce, or any act of fraud punishable under Title 18.2, Chapter 12, Article 1.1 of the Code of Virginia, 1950 as amended. Furthermore, I understand that fraud and unlawful collusion are crimes under the Virginia Governmental Frauds Act, the Virginia Government Bid Rigging Act, and Virginia Antitrust Act and Federal Law and can result in fines, prison sentences and civil damage awards.

My signature also certifies that this firm has no business or personal relationships with any other companies or personal that could be considered as a conflict of interest to the City of Colonial Heights, and that there are no principals, officers, agents, employees, or representatives of this firm that have any business or personal relationship with any other companies or persons that could be considered as a conflict of interest or a potential conflict of interest to the City of Colonial Heights, pertaining to any and all work or services to be performed as a result of this request and any resulting contract with the City of Colonial Heights.

I herby certify that I am authorized to sign as a Representative for the Firm:

Legal Name of Firm \_\_\_\_\_

Order from Address \_\_\_\_\_

Remit to Address \_\_\_\_\_

Federal ID Number \_\_\_\_\_

Name (Type or Print) \_\_\_\_\_

Title \_\_\_\_\_

Telephone (\_\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_\_) \_\_\_\_\_

Email Address (Type or Print) \_\_\_\_\_

Date \_\_\_\_\_