



**REQUEST FOR PROPOSALS (RFP)  
PASS THROUGH SYSTEM SPLASH PAD  
CITY OF WELLS, NEVADA**

The City of Wells Board of Council is accepting proposals to install a Pass-Through System Splash Pad to be located at parcel number 002-612-005 in Wells, Nevada 89835. Proposals must include the cost of all necessary items for full installation. Sealed Proposals are due no later than 11 a.m. PST, March 4, 2024. Proposals must be clearly marked "Pass-Through Splash Pad Proposal" on the exterior envelope. A **mandatory** preproposal site inspection of the project is required by the vendor. You must call 775-752-3355 and speak with Jason Pengelly, City Manager, to schedule a date/time for this inspection. A virtual visit is acceptable. The City of Wells Board of Council will open Proposals at the March 11, 2024 meeting.

All Proposals must be submitted by mail to the City of Wells, P.O. Box 366, Wells, Nevada 89835 or delivered directly to Wells City Hall, 525 6th Street, Wells, Nevada and remain firm for not less than thirty calendar days from March 4, 2024 and after the selection process, must remain firm throughout the completion of the project.

**GENERAL CONDITIONS**

The following are general conditions for the work to be performed.

**SCOPE OF WORK**

It is understood that except as otherwise specifically stated in the contract, the vendor shall provide and pay for all materials, labor, tools, equipment, and transportation of every nature and all other services and facilities of every nature whatsoever, necessary to execute, complete and deliver the work within the specified time. Successful bidder must be licensed to work and in good standing with the State of Nevada as well as being debarred and eligible to participate in federally funded projects. Permits and licenses necessary for the execution of work shall be secured by the vendor. All supplies and materials shall be new. Any work necessary to be performed after regular work hours, such as weekends or legal holidays, shall be performed without additional expense to the City. The total budget for this project is \$139,871.38.

**EXISTING CONDITIONS**

The vendor, in undertaking the work under this contract, is **required** to visit the premises prior to Proposal submission and to have taken into consideration all conditions which might affect the work. No consideration will be given to any claims based on lack of knowledge of conditions.

## **INSURANCE**

With submission of Proposal, the vendor shall furnish the City a Certificate of Insurance showing compliance. The vendor agrees to comply with the provisions of Worker's Compensation in the State of Nevada.

The vendor shall further maintain such other insurance (with limits as shown below) as shall protect the vendor and the City from any claims for property damage or personal injury, including death, which may arise out of operations under this contract, and the vendor shall furnish the City with certificates and policies of such insurance shown below. Insurance coverage shall be maintained until the work has been completed by the vendor and accepted by the City.

Listed below are the insurance coverages which must be procured by the vendor at the vendor's expense and submitted with the Request for Proposal.

The vendor agrees to follow instructions indicated in each case.

- Proof of current worker's compensation
- Vendor's public liability insurance, personal injury, including death \$250,000.00 for each person and \$500,000.00 for each accident
- Property damage- limits of \$500,000.00 for each accident and \$1,000,000.00 for the aggregate
- Certificate of Insurance with the City listed as an additional insured must be sent to the City prior to commencement of the project.

Insurance must be written by a company licensed to do business in the State of Nevada.

## **TAXES**

The City of Wells is a tax-exempt organization. A copy of the City's tax-exempt form will be furnished.

## **GOVERNING LAWS**

All Proposals and related documents submitted to the City by the vendors are governed by the laws of the State of Nevada and local ordinances, policies, and regulations.

## **RIGHT TO EXTEND OR REJECT**

The City reserves the right to extend the due date and reject any or all Proposals and waive technicalities and informalities.

## **PROPOSALS**

Sealed Proposals must be submitted no later than 11 A.M. PST, Monday, March 4, 2025. All Proposals shall be clearly marked "Pass-Through System Splash Pad Proposal" on the outside of the exterior envelope. Following the closing of the Request for Proposal the City will open the Proposals

at the March 11, 2025, City of Wells Board of Council Meeting in the Board of Council Chambers 525 Sixth Street, Wells, Nevada 89835 beginning at 7 P.M.

### **DEVIATIONS**

Any deviations from the scope of work indicated in the Request for Proposal must be submitted in writing and explained in detail and must be approved by the City. Any deviations from a submitted Proposal between prices quoted and actual cost shall be resolved by the City as being the lower price, unless the vendor can provide a written explanation that must have approval of the City.

Deviations requested by the City shall be the expense of the City.

Any Proposal withdrawal or modification received after the established due date at the designated place for receipt of Proposals is late. No late Proposals, late modifications, or late withdrawal will be considered and shall be returned to the vendor unopened. The City reserves the right to reject any and all Proposals, as well as, to accept in whole or in part, such Proposals where it deems it advisable in projection of the best interest of the City. The City will be the sole judge as to whether Proposals submitted meet all requirements.

### **WITHDRAWAL OF PROPOSAL**

A Proposal cannot be withdrawn after it is filed, unless the vendor makes a request in writing to the City prior to the date set for opening of Proposals, or the City fails to accept a bid within thirty calendar days after the bid opening.

### **AWARD OF CONTRACT**

Award of contract will be made according to Nevada State Bid Procurement Laws to the most responsible/responsive bidder meeting the requirements of the City within 30 calendar days of the bid opening. This solicitation does not commit the City to award a contract, to pay any costs incurred in preparation of the Proposal, or to procure or contract for goods services listed herein.

### **CONTRACT FORM**

Upon contract award, the City and vendor will have a signed agreement prior to any work being started.

### **CHANGE IN CONTRACT**

The City will not be responsible for any change in work scope involving extra cost unless approval in writing is furnished by the City or a change in the work scope is at the request of the City.

## **INDEMNIFICATION**

The vendor agrees to hold the City harmless and to indemnify the City from every expense, liability or payment arising out of or through injury (including death) to any person or persons or damage to property (regardless of who the City of the property may be) of any place in which work is located arising out of or suffered through any act or omission of the vendor or subcontractor.

## **INSTALLATION**

The City anticipates issuing notice to proceed no later than 30 days after the award. The successful bidder shall complete installation within 120 calendar days from the date of the Notice to Proceed or as is otherwise agreed upon.

## **WARRANTY**

All materials and labor provided by the vendor shall have a manufacturer's warranty on materials and workmanship. All warranty information must be included in the bid proposals and meet the minimum requirements:

- 30 Year Warranty on all stainless-steel water features, pipes, and welds
- 30 Year Warranty on all stainless-steel footing bases (Sprays and Features)
- 5 Year Warranty on splash pad holding tank
- Lifetime Warranty on all nozzle inserts
- 3 Year Warranty on all Control Boxes

## **SITE VISIT**

A site visit is **mandatory** before submission of the Proposal. You must call 775-752-3355 and speak with Jason Pengelly, City Manager to schedule a date/time for this inspection. A virtual visit is acceptable.

## **APPLICATION FOR PAYMENT**

All applications for payment shall be submitted to:

City of Wells  
c/o Jason Pengelly  
P.O. Box 366  
Wells, Nevada 89835

## **PAYMENTS**

Payments will be made within 30 days after vendor submission, pending City approval. The City will consider reasonable arrangements if requested by the vendor. The final project 10% will be withheld until the City certifies the project has been completed in full accordance with the contract and is free of material defects.

## **LIQUID DAMAGES**

Liquidated damages in the amount of \$100.00 per day from each calendar day after the 120 day project timeline will be charged to the vendor. Liquidated damages will not be charged for delays associated with weather. Furthermore, the City will consider all other reasonable requests associated with delays and submitted in writing for approval.

## **CLEAN UP SITE**

All outside and inside areas of the building and grounds around the project shall remain clean and free of any construction debris. An allocated area will be allowed for material storage.

## **PROJECT SPECIFICATIONS**

The City is seeking Proposals to install a 600 sq. ft. Pass-Through System Splash Pad located at parcel number 002-612-005 in Wells, NV 89835.

- The pass-through splash pad will be at least 600 sq. ft. and cover approximately 40' of run or less, from the center pad to the equipment area and 30' from the tank to the equipment.
- All 80/40 PVC pipelines will be installed to/from the equipment/tank/splash pad.
- Piping pressure testing will be performed.
- Stainless-steel ground nozzle housing's, base footings, forms, and drains will be provided and installed.
- A direct bury tank and bulk heads (compaction according to engineered plans) will be provided and installed.
- Over excavation will be cleared and removed (if needed).
- #4 rebar 12" o.c. will be provided and installed.
- An engineered concrete splash pad base of 4000 psi and no less than 5" thickness will be provided and installed.
- New equipment in the equipment area will be provided and installed.
- The concrete floor pad for the equipment area will be provided and installed.
- All metal components on the splash pad will be #8 copper wire to the equipment room.
- Client staff members will be trained in the maintenance and winterization instructions for the splash pad.
- The splash pad will be ADA compatible.
- The concrete pour will be to the specs of the engineered plan.
- Installation of the splash pad, including but not limited to the required earthwork, will be completed at the proposed grades.
- The splash pad will include 2 large pieces of equipment and no less than 10 spraying heads.
- The splash pad will include an activation timer with a control box and settings.
- All other equipment such as pumps, tanks, valves, nozzles, etc. will be included.
- A modified non-slip surface coating will be included.

**PROPOSAL FORM  
CITY OF WELLS  
PASS-THROUGH SYSTEM SPLASH PAD**

**All sealed Proposals must be delivered to the following address:**

Wells City Hall  
525 6<sup>th</sup> Street  
Wells, Nevada 89835

**Name of Vendor:** \_\_\_\_\_

Having carefully examined the Proposal requirements including the General Conditions, and the Request for Proposal, the undersigned proposed to provide the required materials, services, warranties, and delivery of specified in the attached Proposal for the total sum not to exceed:

**GRAND TOTAL \$** \_\_\_\_\_

Respectfully Submitted,

Name of Firm: \_\_\_\_\_

Address of Firm: \_\_\_\_\_

Signature: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Signatory Title: \_\_\_\_\_

Name and Title of Vendor's Representative who will service contract:

\_\_\_\_\_  
Telephone number of Vendor's Representative: \_\_\_\_\_

Email Address for Vendor: \_\_\_\_\_

**STATEMENT OF VENDOR'S QUALIFICATIONS**

**Name of Vendor:** \_\_\_\_\_

**Please Provide Three References:**

**REFERENCE 1**

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Title: \_\_\_\_\_

Affiliation: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**REFERENCE 2**

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Title: \_\_\_\_\_

Affiliation: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**REFERENCE 3**

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Title: \_\_\_\_\_

Affiliation: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

## ACKNOWLEDGEMENT

### BUILD AMERICA, BUY AMERICA

The following language has been provided by the federal funding source and will be required for the “**PASS-THROUGH SYSTEM SPLASH PAD**” project for the City of Wells.

**Note: This section only applies to this project for materials purchased on or after January 13, 2023.**

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.

Recipients of an award of Federal financial assistance are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States —this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 65 percent of the total cost of all components of the manufactured product for items delivered starting in calendar year 2024, then 75 percent for items delivered starting in calendar year 2029, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

For further information on the Buy America preference, please visit [//www.doi.gov/grants/BuyAmerica](https://www.doi.gov/grants/BuyAmerica). Additional information can also be found at the White House Made in America Office website: [www.whitehouse.gov/omb/management/made-in-america/](https://www.whitehouse.gov/omb/management/made-in-america/).

#### Waivers

When necessary, recipients may apply for, and the Department of the Interior (DOI) may grant, a waiver from these requirements, subject to review by the Made in America Office. The DOI may



waive the application of the domestic content procurement preference in any case in which it is determined that one of the below circumstances applies:

1. Non-availability Waiver: the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;
2. Unreasonable Cost Waiver: the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent; or
3. Public Interest Waiver: applying the domestic content procurement preference would be inconsistent with the public interest.

There may be instances where an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at: [//www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers](http://www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers).

If the specific financial assistance agreement, infrastructure project, or non-domestic materials meets the criteria of an existing general applicability waiver within the limitations defined within the waiver, the recipient is not required to request a separate waiver for non-domestic materials.

If a general applicability waiver does not already apply, and a recipient believes that one of the above circumstances applies to an award, a request to waive the application of the domestic content procurement preference may be submitted to the financial assistance awarding officer in writing. Waiver requests shall include the below information. The waiver shall not include any Privacy Act information, sensitive data, or proprietary information within their waiver request. Waiver requests will be posted to [//www.doi.gov/grants/buyamerica](http://www.doi.gov/grants/buyamerica) and are subject to public comment periods of no less than 15 days. Waiver requests will also be reviewed by the Made in America Office.

1. Type of waiver requested (non-availability, unreasonable cost, or public interest).
2. Requesting entity and Unique Entity Identifier (UEI) submitting the request.
3. Department of Interior Bureau or Office who issued the award.
4. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
5. Financial assistance title of project (reference block 8 on DOI Notice of Award).
6. Federal Award Identification Number (FAIN).
7. Federal funding amount (reference block 11.m. on DO Notice of Award).
8. Total cost of Infrastructure expenditures (includes federal and non-federal funds to the extent known).
9. Infrastructure project description(s) and location(s) (to the extent known).
10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant PSC or NAICS code for each.
11. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
12. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.

13. Anticipated impact if no waiver is issued. Approved waivers will be posted at [//www.doi.gov/grants/BuyAmerica/ApprovedWaivers](http://www.doi.gov/grants/BuyAmerica/ApprovedWaivers); recipients requesting a waiver will be notified of their waiver request determination by an awarding officer.

Questions pertaining to waivers should be directed to the financial assistance awarding officer.

Definitions

“Construction materials” includes an article, material, or supply that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

“Construction Materials” does not include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

“Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

“Infrastructure” includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

“Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States

Said bidder acknowledges the Build America, Buy America conditions for federally funded projects and agrees to complete all work in accordance with the requirements.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Bidder)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)