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**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

SPO Vendor List Contract No. 23-19
Replaces SPO Price List Contract No. 19-13
Includes Change No. 3
Effective: 11/14/2023

THIS SPO PRICE/VENDOR LIST CONTRACT IS FOR AUTHORIZED BUSINESS ONLY

**NASPO VALUEPOINT
PARKS & RECREATION AND PLAYGROUND EQUIPMENT,
INSTALLATIONS AND RELATED GOODS & SERVICES**

(RFP S-10700-00001200)

June 5, 2023 to December 31, 2024

INFORMATION ON NASPO VALUEPOINT

The NASPO ValuePoint Cooperative Purchasing Organization is a multi-state contracting consortium of state governments, including local governments, of which the State of Hawaii is a member. NASPO ValuePoint Purchasing Organization seeks to achieve price discounts by combining the requirements of multi-state governmental agencies, and cost-effective and efficient acquisition of quality products and services.

The State of Oregon is the current lead agency and contract administrator for the NASPO ValuePoint Parks & Recreation and Playground Equipment, Installations and Related Goods & Services contract. A request for competitive sealed proposals was issued on behalf of NASPO ValuePoint Cooperative Purchasing Organization and contracts were awarded to eleven (11) qualified Contractors.

The purpose of this contract is to provide Athletic Equipment, Bleachers, Bundled Playgrounds, Commercial Play Equipment, Dog Parks, Outdoor Fitness Equipment, Independent Play, Recycled Material Equipment, Replacement Parts, Site Furnishings, Shade and Shelter, Surfacing, Swing Sets and Waterpark Equipment, and Barbecue Grills, Barbecue Smoker Grills, Banquet Tables, Benches, Bike Racks, Bleachers, Grandstands, Bus Stop Shelters, Canopy Tents, Cigarette Receptacles, Drinking Fountains, Exercise Equipment, Fire Rings, Flags, Floor Matting, Message Centers, Park Benches, Park Grills, Camp Stoves, Parking Lot Equipment, Patio and Café Furniture, Pet Products, Picnic Tables, Planters, Playground Equipment, Pool Furniture, Sanitation Equipment, Security, Sports Equipment, Tables, Trash Receptacles, Umbrellas, Shelters, Floating Dock products and Installations Services.

For additional information on this contract, visit the NASPO ValuePoint website at <https://www.naspovaluepoint.org/portfolio/parks-and-recreation-equipment-and-installation-2023-2028/>.



PARTICIPATING JURISDICTIONS listed below have signed a cooperative agreement with the SPO and are authorized to utilize this vendor list contract.

Executive Departments/Agencies	City and County of Honolulu
Department of Education	Honolulu City Council
School Facilities Authority	Honolulu Board of Water Supply
Hawaii Health Systems Corporation	Honolulu Authority for Rapid Transportation
Office of Hawaiian Affairs	County of Hawaii
University of Hawaii	Hawaii County Council
Public Charter School Commission and Schools	County of Hawaii – Department of Water Supply
House of Representatives	County of Maui
Senate	Maui County Council
Judiciary	County of Maui – Department of Water Supply
	County of Kauai
	Kauai County Council
	County of Kauai – Department of Water

The participating jurisdictions are not required but may purchase from this vendor list contract, and requests for exception from the contract are not required. Participating jurisdictions are allowed to purchase from other contractors; however, HRS chapter 103D, and the procurement rules apply to purchases by using the applicable method of procurement and its procedures, such as small purchases or competitive sealed bidding. The decision to use this contract or to solicit pricing from other sources is at the discretion of the participating jurisdiction.

POINT OF CONTACT. Questions regarding the products listed, ordering, pricing and status should be directed to the contractor(s).

Procurement questions or concerns may be directed as follows:

Jurisdiction	Name	Telephone	FAX	E-mail
Executive	Matthew Chow	586-0577	586-0570	matthew.m.chow@hawaii.gov
Department of Education (DOE)	Procurement Staff	675-0130	675-0133	G-OFS-DOE-Procurement@k12.hi.us
School Facilities Authority	Gaudencia "Cindy" Watarida	430-5531	n/a	cindy.watarida@k12.hi.us
Hawaii Health Systems Corporation (HHSC)	Nancy Delima	359-0994	n/a	ndelima@hhsc.org
Office of Hawaiian Affairs (OHA)	Christopher Stanley	594-1833	594-1865	chriss@oha.org
University of Hawaii (UH)	Karlee Hisashima	956-8687	956-2093	karlee@hawaii.edu
Public Charter School Commission and Schools	Danny Vasconcellos	586-3775	586-3776	danny.vasconcellos@spscsc.hawaii.gov

Jurisdiction	Name	Telephone	FAX	E-mail
House of Representatives (House)	Brian Takeshita	586-6423	586-6401	takeshita@capitol.hawaii.gov
Senate	Carol Taniguchi	586-6720	586-6719	c.taniguchi@capitol.hawaii.gov
Judiciary	Tritia Cruz	538-5805	538-5802	tritia.l.cruz@courts.hawaii.gov
Honolulu City and County (C&C)	Procurement Specialist	768-5535	768-3299	bfspurchasing@honolulu.gov
Honolulu City Council	Kendall Amazaki, Jr.	768-5084	n/a	kamazaki@honolulu.gov
Honolulu City Council	Nanette Saito	768-5085	768-5011	nsaito@honolulu.gov
Honolulu Board of Water Supply	Procurement Office	748-5071	n/a	fn_procurement@hbws.org
Honolulu Authority for Rapid Transportation (HART)	Dean Matro	768-6246	n/a	dean.matro@honolulu.gov
County of Hawaii	Diane Nakagawa	961-8440	n/a	Diane.Nakagawa@hawaiicounty.gov
Hawaii County Council	Diane Nakagawa	961-8440	n/a	Diane.Nakagawa@hawaiicounty.gov
County of Hawaii - Department of Water Supply	Ka'iulani L. Matsumoto	961-8050 ext. 224	961-8657	kmatsumoto@hawaiidws.org
County of Maui	Jared Masuda	463-3816	n/a	jared.masuda@co.maui.hi.us
Maui County Council	Marlene Rebugio	270-7838	n/a	marlene.rebugio@mauicounty.us
County of Maui - Department of Water Supply	Kenneth L. Bissen	270-7684	270-7136	ken.bissen@co.maui.hi.us
County of Kauai	Ernest Barreira	241-4295	241-6297	ebarreira@kauai.gov
Kauai County Council	Codie Tabalba	241-4193	241-6349	ctabalba@kauai.gov
County of Kauai - Department of Water	Christine Erorita	245-5409	245-5813	cerorita@kauaiwater.org

USE OF PRICE & VENDOR LIST CONTRACTS BY NONPROFIT ORGANIZATIONS. Pursuant to HRS §103D-804, nonprofit organizations with current purchase of service contracts (HRS chapter 103F) have been invited to participate in the SPO price & vendor lists contracts.

A listing of these nonprofit organizations is available at the SPO website: <http://spo.hawaii.gov>. Click on *For Vendors > Non-Profits > Cooperative Purchasing Program > View the list of qualifying nonprofits eligible to participate in cooperative purchasing.*

If a nonprofit wishes to purchase from a SPO price or vendor list contract, the nonprofit must obtain approval from each Contractor, i.e., participation must be mutually agreed upon. A Contractor may choose to deny participation by a nonprofit. Provided, however, if a nonprofit and Contractor mutually agree to this arrangement, it is understood that the nonprofit will retain its right to purchase from other than a SPO price or vendor list Contractor(s).

CONTRACTORS. The authorized contractors are listed in this vendor list contract. They have signed a Master Agreement with the State of Oregon and a Participating Addendum with the Hawaii State Procurement Office.

<u>Contractor:</u>	<u>Master Agreement Number</u>
Landscape Structures Inc	PO-10700-00015855
Northwest Playground Equipment Inc	PO-10700-00015852
Playcraft Systemc LLC	PO-10700-00015858

VENDOR CODES for annotation on purchase orders are obtainable from the *Alphabetical Vendor Edit Table* available at your department's fiscal office. Agencies are cautioned that the remittance address on an invoice may be different from the address of the vendor code annotated on the purchase order.

COMPLIANCE PURSUANT TO HRS §103D-310(c). Prior to awarding this contract, the SPO verified compliance of the Contractor(s) named in the SPO Vendor List Contract No. 23-19. *No further compliance verification is required prior to issuing a contract, purchase order, or pCard payment when utilizing this contract.*

PURCHASING CARD (pCard). The State of Hawaii Purchasing Card (pCard) is required to be used by the Executive department/agencies, excluding the DOE, HHSC, OHA, and UH, for orders totaling less than \$2,500. For purchases of \$2,500 or more, agencies may use the pCard, subject to its credit limit, or issue a purchase order.

Note: Vendors may impose a transaction fee, not to exceed 4%, for pCard transactions.

PURCHASE ORDERS may be issued for purchases of \$2,500 or more and for vendors who either do not accept the pCard, or set minimum order requirements before accepting the pCard.

SPO PL CONTRACT NO. 23-19 & applicable NASPO VALUEPOINT MASTER AGREEMENT NUMBER shall be typed on purchase orders issued against this vendor list contract. For pCard purchases, the SPO PL Contract No. 23-19 and the applicable NASPO ValuePoint Master Agreement Number shall be notated on the appropriate transaction document.

PAYMENTS are to be made to the Contractor(s) remittance address. HRS §103-10 provides that the State shall have thirty (30) calendar days after receipt of invoice or satisfactory completion of contract to make payment. Payments may also be made via pCard.

LEASE AGREEMENTS are not allowed under this contract.

STATE GENERAL EXCISE TAX (GET) AND COUNTY SURCHARGE shall not exceed the following rates if seller elects to pass on the charges to its customers.

COUNTY	COUNTY SURCHARGE TAX RATE	STATE GET	MAX PASS-ON TAX RATE	EXPIRATION DATE OF SURCHARGE TAX RATE
C&C OF HONOLULU	0.50%	4.0%	4.7120%	12/31/2030
HAWAII	0.50%	4.0%	4.7120%	12/31/2030
COUNTY OF MAUI (including Molokai and Lanai)	0.0%	4.0%	4.1666%	No county surcharge
KAUAI	0.50%	4.0%	4.7120%	12/31/2030

The GET or use tax and county surcharge may be added to the invoice as a separate line item and shall not exceed the current max pass-on tax rate(s) for each island.

County surcharges on state general excise (GE) tax or Use tax may be visibly passed on but is not required. For more information on county surcharges and the max pass-on tax rate, please visit the Department of Taxation’s website at <http://tax.hawaii.gov/geninfo/countysurcharge>.

VENDOR AND PRODUCT EVALUATION form, SPO-012, for the purpose of addressing concerns on this vendor list contract, is available to agencies at the SPO website: <http://spo.hawaii.gov>. Click on *Forms* on the home page.

PRICE OR VENDOR LIST CONTRACT AVAILABLE ON THE INTERNET at the SPO website: <http://spo.hawaii.gov>. Click on *Price & Vendor List Contracts* on the home page.

DEFINITIONS

- "Environmentally Preferable Product" or "EPP" means products and services that have a lesser or reduced effect on human health and the environment when compared to competing products or services that serve the same purpose.
- "MSRP" means the price at which the manufacturer suggests that retailers sell the product.
- Products includes, but is not limited to: Athletic Equipment, Bleachers, Bundled Playgrounds, Commercial Play Equipment, Dog Parks, Outdoor Fitness Equipment, Independent Play, Recycled Material Equipment, Replacement Parts, Site Furnishings, Shade and Shelter, Surfacing, Swing Sets and Waterpark Equipment, and Barbecue Grills, Barbecue Smoker Grills, Banquet Tables, Benches, Bike Racks, Bleachers, Grandstands, Bus Stop Shelters, Canopy Tents, Cigarette Receptacles, Drinking Fountains, Exercise Equipment, Fire Rings, Flags, Floor Matting, Message Centers, Park Benches, Park Grills, Camp Stoves, Parking Lot Equipment, Patio and Cafe Furniture, Pet Products, Picnic Tables, Planters, Playground Equipment, Pool Furniture, Sanitation Equipment, Security, Sports Equipment, Tables, Trash Receptacles, Umbrellas, Shelters, Floating Dock.
- Product Support includes, but is not limited to, system design services, equipment configuration, technical support services, equipment installations, equipment warranty, and equipment repair services.
- Services means all effort to be expended by Contractor under their Master Agreement.

SHIPPING. All deliveries will be F.O.B. destination, freight pre-paid, with all transportation and handling charges paid by the Contractor. Shipping charges may be added to the invoice as a separate line item.

Minimum Shipping. The minimum shipment amount, if any, must be contained in the Master Agreement. Any order for less than the specified amount is to be shipped with the freight prepaid and added as a separate item on the invoice. Any portion of an Order to be shipped without transportation charges that is back ordered will be shipped without charge.

WARRANTY. The Contractor warrants for a period of (1) year from the date of Acceptance that: (a) the Good performs according to all specific claims that the Contractor made in its response to the solicitation, (b) the Good is suitable for the ordinary purposes for which such Good is used, (c) the Good is suitable for any special purposes identified in the solicitation or for which the Purchasing Entity has relied on the Contractor's skill or judgment, (d) the Good is designed and manufactured in a commercially reasonable manner, (e) the Good is free of defects, and (f) the Services will meet or exceed all requirements.

AGENCY INSTRUCTIONS:

1. Agency shall solicit a request for quotes to contractor(s) based on the awarded category.

Category Number	Description
1	All Categories (Indoor & Outdoor Fitness Equipment, Outdoor Furniture, Park Site Furnishings, Safety Surfacing, Track and Field, Floating Dock products, Shelter & Shades, Waterparks (Spray & Splash), Electronic Play (Audio & Visual & Touch))
2	Indoor & Outdoor Fitness Equipment
3	Outdoor Furniture
4	Park Site Furnishings
5	Safety Surfacing
6	Track and Field
7	Floating Dock products
8	Shelters & Shades
9	Waterparks (Spray & Splash)
10	Electronic Play (Audio & Visual & Touch)
11	Value Added products and services

Contractor Name	Category Number and Percentage Off All Items in Category										
	1	2	3	4	5	6	7	8	9	10	11
Landscape Structures Inc	No Award	6%	6%	6%	6%	6%	No Award	6%	5%*	6%	Award
Northwest Playground Equipment Inc	No Award	10%	5%	10%	6%	6%	No Award	5%	No Award	5%	Award
Playcraft Systems LLC	No Award	10%	10%	10%	10%	No Award	No Award	10%	No Award	No Award	Award
*Waterparks (Spray & Splash), Aquatix Design and Mechanicals is 1%											

2. Agency shall obtain the MSRP from contractor for each item and include in the procurement file.
3. Agency should consider environmentally preferable products (EPP) and ask vendor for more information.
4. Personnel conducting or participating in utilizing Vendor List Contract No. 23-19 is responsible to complete form SPO-010, Record of Procurement for purchases of \$5,000 or more. If award is not made to the lowest bidder, written justification is explained in Part D. The approved Form SPO-010 is kept in the procurement/contract file.
5. Consideration of Quotes. Agencies shall consider all responsive and responsible quotes received. An award shall be made to the Contractor(s) offering the lowest price. If the lowest price does not meet the agencies specification requirement, the award may be made to the vendor(s) whose offer represents the best value to the agency. Best value means the most advantageous offer determined by evaluating and comparing all relevant criteria in addition to price so that the offer meeting the overall combination that best services the agency is selected. These criteria may include, in addition to others, the total cost of ownership, performance, history of the vendor, quality of goods, services, delivery and proposed technical performance.

6. Reminder that permits may be required and applicable statutes may include but are not limited to:
- HRS §103-32.1 Contract provision for retainage (keeping a portion of funds owed to ensure final completion and submission of as-built drawings);
 - HRS §103-50 Building design to consider needs of persons with disabilities; review fees; HRS §103-53 Wages, hours, and working conditions of employees of contractors performing services;
 - HRS §104 in its entirety. Wage and Hours of Employees on Public Work Projects; HRS §444 in its entirety. Contractors (meaning licensed contractors)
 - *Note HRS §444-2(4) requires a license for each licensable activity on projects less than \$1,500. Hawaii Administrative Rules (HAR) chapter 16-77 lists the 68 specialty contractor activities and the licenses carried by “A” and “B” General contractors.
 - HRS §464-4 Requiring any public work to be supervised by a licensed architect or engineer;
 - *Note: DOE Schools are not authorized to procure architects or engineers under their delegation
 - HRS §103D-24 Payment and performance bonds are required for projects over \$50,000;
 - HRS §103D-325 Form of bonds;
 - *Note: AIA format bonds have terms that are unacceptable to the State of Hawaii.
 - HRS §103D-327 which requires a signed certification of a safety program from the offeror in compliance with HRS §396-18 for any construction over \$100,000;
 - All applicable county zoning and permitting requirements.
7. For **Department of Education** personnel using this vendor list, value added categories may not be included without the purchase of playground equipment. All purchases of playground equipment **must** receive prior approval from the Auxiliary Services Branch (Monica Baron, (808) 286-5107, monica.kauai_baron@k12.hi.us). Any purchase must be compliant with all applicable statutes, rules, ordinances or regulatory requirements.

CONTRACTORS

AND

AUTHORIZED

RESELLERS

CONTACT

INFORMATION



Landscape Structures Inc

Master Agreement Number PO-10700-00015855

<https://www.naspoaluepoint.org/portfolio/parks-and-recreation-equipment-and-installation-2023-2028/landscape-structures-inc/>

For Questions contact:

Landscape Structures:
Name: Elaine Harkess
Title: Contract Administrator
Phone: (763) 972-5243
Email: elaineharkess@playlsi.com

Purchase Orders and Correspondence:

Landscape Structures Inc.
601 7th Street S.
Delano, MN 55328

Remit To:

Landscape Structures Inc
SDS 12-0395 PO Box 86
Minneapolis, MN 55486-0395
Vendor Code: 352672-00

To view equipment: www.playlsi.com

Return Policy: Contractor will accept returns of new structures and/or bew equipment purchased within (60) days of the original invoice date. For more information, please go to page 31 of 43 of the Master Agreement.

All payments (PO's and Invoices) are made to Landscape Structures. For quotes and installation please contact the authorized reseller for all islands.

Authorized Reseller:

ExerPlay, Inc.

Name: Travis McGaughy
Title: Sales Representative
Phone: (808) 542-6540
Email: travis@exerplay.com



Northwest Playground
EQUIPMENT INC.

NORTHWEST PLAYGROUND EQUIPMENT INC

Master Agreement Number PO-10700-00015852

<https://www.naspoaluepoint.org/portfolio/parks-and-recreation-equipment-and-installation-2023-2028/northwest-playground-equipment-inc/>

For Questions contact:

Name: Chris McGarvey

Title: President

Phone: 425.681.5848

Email: chris@nwplayground.com

Remit To:

Northwest Playground Equipment Inc

PO Box 2410

Issaquah, WA 98027-0109

Vendor Code: 355265-00

To view equipment:

<https://nwplayground.com/naspo>

Return Policy: Contractor does not allow returns.



PLAYCRAFT SYSTEMS LLC

Master Agreement No. PO-10700-00015858

For Questions contact:

Margaret Miller
Phone: (541) 955-9199 x123
Fax: (541) 955-6130
Email: Margaret.miller@playcraftsystems.com

Return Policy: Agency must notify the Contractor during equipment unload/inventory if any item is received damaged. All damaged items will be handled through the Contractor's warranty. All cancelled orders are subject to a 30% restocking fee based on the equipment's total MSRP. Agency must pay all shipping cost on all cancelled equipment if cancelled after date of delivery.

To view equipment:

www.playcraftsystems.com

All payments (PO's and Invoices) are made to Playcraft Systems LLC's authorized reseller. For quotes and installation please contact the authorized reseller.

Authorized Reseller:

Allplay Systems LLC

PO Box 1886
Sequim, WA 98382
Vendor Code: 367345-00
Phone: (888) 531-4881
Email: info@allplaysystems.com