



Office of State Procurement
112 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
Voice: 651.201.3123
Fax: 651.297.3996

May 21, 2021

Mr. Christopher Johnsen
St. Croix Recreation Fun Playgrounds Inc
1826 Tower Drive W
Stillwater, MN 55082

Dear Mr. Johnsen,

The following document is enclosed for you to complete and return:

- Amendment No. 8 to SWIFT Contract No. 119803, Release No. P-949(5)

Please sign and return the documents to katy.mccann@state.mn.us
as soon as possible.

If the Amendment is not properly executed it will be returned to you. Upon receipt of the properly executed document, and after signatures are obtained from the appropriate State authorities, a copy of the completed Amendment will be sent to your company.

If you have any questions, please feel free to contact me.

Sincerely,

Katy McCann
Acquisition Management Specialist

Enclosure

AMENDMENT NO. 8 TO CONTRACT NO. 119803, RELEASE NO. P-949(5)

THIS AMENDMENT is by and between the State of Minnesota, acting through its commissioner of Administration ("State"), and St. Croix Recreation Fun Playgrounds Inc, 1826 Tower Drive W, Stillwater, MN 55082 ("Contractor").

WHEREAS, the State has a Contract with the Contractor identified as Contract No. 119803, February 3, 2017, through January 31, 2022 ("Contract"), to provide Park and Playground Equipment and Installation; and

WHEREAS, Minn. Stat. § 16C.03, subd. 5, affords the commissioner of Administration, or delegate pursuant to Minn. Stat. § 16C.03, subd. 16, the authority to amend contracts; and

WHEREAS, the terms of the Contract allow the State to amend the Contract as specified herein, upon the mutual agreement of the Office of State Procurement and the Contractor in a fully executed amendment to the Contract.

NOW, THEREFORE, it is agreed by the parties to amend the Contract as follows:

1. That Contract No. 119803 is revised as detailed in Amendment 8 Exhibit A, which is attached and incorporated herein. All other prices, terms, and conditions remain the same.
2. Contract pricing will be reviewed again no later than December 31, 2021. If the Contractor's supply chain normalizes, and the Contractor's costs are reduced, the Contractor is obligated to inform the State of Minnesota prior to December 31, 2021, and revisit Contract pricing at that time.
3. The following are hereby added as approved subcontractors to provide park and playground equipment and installation services defined within the Contract:

- Majestic Gardens, LLC, 851 Hahn Drive, Shakopee, MN
- Theme-X, 11672 Normandale Boulevard, Bloomington, MN
- Specialized Environmental Technologies, 1033 Cliff Road, Burnsville, MN
- Michael Basich, Inc., 1761 3rd Street, White Bear Lake, MN
- SafetyFirst Specialty Contracting, 31095 Baugh Street, Princeton, MN
- National Playground Surfacing, Inc., 8273 Old Ridge Road, Plainfield, IL

This Amendment is effective upon the date that the final required signatures are obtained, whichever occurs later, and shall remain in effect through contract expiration, or until the Contract is canceled, whichever occurs first. Except as herein amended, the provisions of the Contract between the parties hereto are expressly reaffirmed and remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed intending to be bound thereby.

- 1. ST. CROIX RECREATION FUN PLAYGROUNDS INC**
The Contractor certifies that the appropriate person(s) have executed this Amendment on behalf of the Contractor as required by applicable articles, bylaws, resolutions, or ordinances.

By: 
Signature

Christopher W Johnsen
Printed Name

Title: President

Date: 21/May/2021

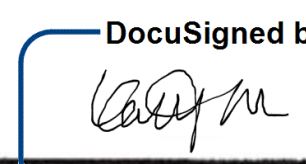
By: _____
Signature

Printed Name

Title: _____

Date: _____

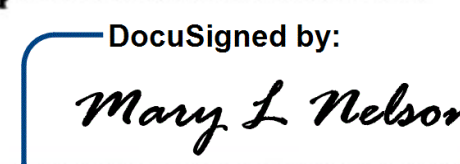
- 2. OFFICE OF STATE PROCUREMENT**
In accordance with Minn. Stat. § 16C.03, subd. 3.

By: 
Acquisition Management Specialist

Title: _____

Date: 5/21/2021

- 3. COMMISSIONER OF ADMINISTRATION**
Or delegated representative.

By: 
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Date: 5/21/2021

AMENDMENT 8, EXHIBIT A
PRICE SCHEDULE
ST. CROIX RECREATION FUN PLAYGROUNDS, INC.

SECTION #1 – EQUIPMENT CATEGORIES & DISCOUNT OFF LIST PRICING

PARK AND PLAYGROUND EQUIPMENT CATEGORIES:

- 1) Playground Equipment for all ages, at a minimum 2-5 years old, that includes, but not limited to, complete playground systems, playground system components, freestanding play products and sports and fitness activities.
- 2) Playground Equipment for all ages, at a minimum 5-12 years old, that includes, but not limited to, complete playground systems, playground system components, freestanding play products and sports and fitness activities.
- 3) Site Furnishings that include, but not limited to, picnic tables, benches, park grilles, trash receptacles, bike racks, and other related site furnishings.
- 4) Surfacing Materials for playgrounds that include, but not limited to, loose-fill, synthetic turfs, resilient tiles and other related materials.
- 5) Related Products to Park Equipment that include, but not limited to, shade structures, flag poles, archery bails, skate parks, and other related products.

NO CHANGE IN DISCOUNT WILL BE ALLOWED FOR THE INITIAL TERM OF THE CONTRACT:
Prices for equipment will be a percent (%) discount from the Manufacturer’s (OEM) List Price or Dealer’s List Price. After the initial term of the Contract, the manufacturer’s or dealer’s price list may be updated upon mutual agreement by the State and the Contractor through a fully executed amendment. The discount originally contracted must remain the same, or may be increased at the time of Contract extension.

EQUIPMENT CATEGORIES	BRAND	DISCOUNT OFF LIST (%)	2021 SURCHARGE	VOLUME DISCOUNT & LIMITS	CATALOG DATE OR NUMBER	% OF POST CONSUMER RECYCLED CONTENT	LIST ALL ASTM, IPEMA, FEDERAL, STATE, LOCAL STANDARDS, REGULATIONS & GUIDELINES THE EQUIPMENT MEETS FOR EACH CATEGORY & BRAND
1) Playground Equipment ages 2-5	BCI Burke Proposals	4%		\$30,000-\$50,000 – 6% \$50,000+ - 7%	2021 BCI Burke		ASTM F1487, ISO9000, IPEMA
1) Playground Equipment ages 2-5	BCI Burke Freestanding	4%			2021 BCI Burke		ASTM F1487, ISO9000, IPEMA
2) Playground Equipment ages 5-12	BCI Burke Proposals	4%		\$30,000-\$50,000 – 6% \$50,000+ - 7%	2021 BCI Burke		ASTM F1487, ISO9000, IPEMA
2) Playground Equipment ages 5-12	BCI Burke Freestanding	4%			2021 BCI Burke		ASTM F1487, ISO9000, IPEMA
1&2) Playground Equipment	Themed Concepts	4%			2021 Themed Concepts		
3) Site Furnishings	Wabash Valley	4%	4.5%-8%		2020		
3) Site Furnishings	Pilot Rock	4%	15%		2021		

EQUIPMENT CATEGORIES	BRAND	DISCOUNT OFF LIST (%)	2021 SURCHARGE	VOLUME DISCOUNT & LIMITS	CATALOG DATE OR NUMBER	% OF POST CONSUMER RECYCLED CONTENT	LIST ALL ASTM, IPEMA, FEDERAL, STATE, LOCAL STANDARDS, REGULATIONS & GUIDELINES THE EQUIPMENT MEETS FOR EACH CATEGORY & BRAND
3) Site Furnishings	Most Dependable Fountains	2%			2020		
5) Park Equipment	CoverWorx	4%			2021		
1) Playground Equipment ages 2-5	Berliner	4%		\$50,000+ - 5%	2021		ASTM, IPEMA, ISO9000
2) Playground Equipment ages 5-12	Berliner	4%		\$50,000+ -5%	2021		ASTM, IPEMA, ISO9000
3) Site Furnishings	National Recreation	4%	10%		2021		
5) Park Equipment	Shade Systems	4%			2021		
4) Surfacing Material	Safefall	4%			2019		ATSM, CPSC
4) Surfacing Material	Midwest Groundcover	2%			2021		ASTM, CPSC
3) Site Furnishings	First Team	4%			2021		ASTM, CSPC
4) Surfacing	International Mulch	4%			2020		ASTM, CSPC
1&2) Playground Equipment	Percussion Play	4%			2021		
4) Surfacing	XGrass	4%			2020	Varies by material chosen	IPEMA

SECTION #2 – INSTALLATION SERVICES, SURFACING AND LABOR PRICING

Regions: There are ten (10) geographical Regions for the purpose of highway and heavy construction prevailing wage labor requirements. For a map of the 10 Regions go to the following link: <http://workplace.doli.state.mn.us/prevwage/highway.php>. **The following pricing is for all ten (10) geographical Regions.**

Installation:
Installation shall be performed by certified manufacturer’s installers. Installation work must meet the standards established by the terms, specifications, drawings, and construction requirements per each project. Work performed must also meet the manufacturer’s specifications and industry standards requirements.

The equipment installation is based on a not to exceed fixed percentage rate of the total dollar amount of equipment per order. The percentage rate shall be calculated based on the retail list price of equipment then the discount off list applied for the actual cost of equipment multiplied by the installation rate percentage.

Installation rates shall not include site preparation and development, offloading equipment, storage, security, mobilization, mileage, per diem, bonds or permits. Installation rates shall assume installation site is fully prepared, level, and accessible.

Equipment Installation percentage rates shall be based on the total actual cost of the equipment.	Equipment Cost \$0 - \$75,000	Equipment Cost \$75,001 - \$150,000	Equipment Cost \$150,001 - Over
Equipment Installation Percentage rate is a not to exceed rate.	25%	25%	25%
Site Demolition: Removal & Disposal of existing equipment, footings, surfacing materials, etc.		Project Specific – Quote per project	

Item/Description	Units	Price
Mobilization per project	Lump Sum	\$400.00
Mileage (based on current Commissioner’s Plan)	Passenger per mile	Current rate is \$.54
Mileage (based on current Commissioner’s Plan rate of .54 x multiplier)	Single Unit Vehicle Multiplier	Multiplier: <u>1</u>
Per Diem (based on current Commissioner’s Plan)	Based on current Commissioner’s Plan Rates http://www.mmd.admin.state.mn.us/commissionersplan.htm	

SURFACING:

Item/Description		Units	Price	Volume Discount and Limits
Engineered Wood Fiber	Material	CY	\$24.00	100 cubic yard minimum
Engineered Rubber Loose Fill	Installation only	Super Sack 75 CF	\$2,200	Per 20 super sacks
Poured-in-place rubber surfacing	Material & Installation	SF	See Section #1 above for price list rates	

LABOR RATES:

Hourly labor rates may be used for maintenance and/or repairs, quoting, CADD drawings, community build oversight and small installations such as a bench, picnic table, basketball hoop, etc. or incidental unspecified work upon written approval by the owner’s representative. The labor prices include, but are not limited, to government taxes, Social Security, unemployment compensation, insurance payments, employees’ fringe benefits, complete insurance coverage of employees and Subcontractors, property damage, public liability insurance, prevailing wage requirements, etc.

Definitions of Labor Rates Hours:

Weekday Daytime Hours: Monday through Friday 7:00 a.m. through 5:30 p.m.
Amendment 8, Exhibit A – St. Croix Recreation

Weekday Evening Hours: Monday through Friday 5:31 p.m. through 6:59 p.m.
Weekends and Holiday Hours: 5:31 p.m. Friday through 6:59 a.m. Monday and State Designated Holidays

Hourly Labor Rates	Weekday Hourly Price	Weekday Evening Hourly Price	Sunday and State Holiday Hourly Price
Certified Playground Safety Inspector (CPSI)	\$120.00	\$120.00	\$120.00
Installation Supervisor	\$120.00	\$120.00	\$120.00
Carpenter/Installer	\$120.00	\$120.00	\$120.00
Laborer	\$120.00	\$120.00	\$120.00

COST-PLUS

Cost is defined as the actual cost the Contractor pays the supplier for good/services or materials the State or CPV Member orders. Only cost specifically detailed in the billing statement, quote, and/or invoice from the supplier will be subject to the not to exceed cost plus percentage mark-up detailed on Contract. Quotes must include the Contractors cost of the product including applicable tax and shipping. The percentage mark-up must only be applied to the actual cost of the product and services. The not to exceed cost-plus percentage mark-up must be itemized on the quote.

Cost-Plus / Mark-up	Unit –Percentage	25%
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ADDITIONAL ITEMS

Description of product or services	Unit of Measure	List Price	Category Discount	Net Price or Unit Price	Comments
Add on cost for machinery to lift heavy equipment including FFRC and tall rope structures for install	EA	\$770.00	-10%	\$700.00	Metro Area Price
Basket Ball Hoop Installation	EA	\$950.00	-5%	\$902.50	Metro Area Price
BCI Burke Comet Installation 560-2570 and 560-2571	EA	\$650.00	-5%	\$617.50	Metro Area Price
Rev8 560-0576 Installation	EA	\$5,500.00	-5%	\$5,225.00	Disposal of dirt on site
Picnic Table Embedded Installation	EA	\$650.00	-5%	\$617.50	Disposal of dirt on site
Turtle Top 580-0289 Installation	EA	\$4,000.00	-5%	\$3,800.00	Disposal of dirt on site
Volunteer Assisted Install	1 Day	\$1,600.00	-5%	\$1,520.00	
Swing Set Install Per Hole	Per Hole	\$600.00	-5%	\$570.00	

Description of product or services	Unit of Measure	List Price	Category Discount	Net Price or Unit Price	Comments
Minnesota Engineered Drawings	NA	Project Specific – Quote Per Project	-5%		
Shelter Footing with Rebar and Sono Tubes	NA	Project Specific – Quote Per Project	-5%		
Marketing and Fundraising Help Assorted Media	NA	Project Specific – Quote Per Project	-5%		
12” Curb, 6” Wide with #2 Rebar Ties	LF		NA	\$45.00	
4” Concrete	SF		NA	\$9.75	
6” Concrete	SF		NA	\$11.50	
Dumpster	EA		NA	\$500.00	
Hilti Total Station Site Survey	EA		NA	\$1,600.00	