



City of Missoula, Montana  
City Council Committee Agenda Item

Committee: Climate, Conservation and Parks  
Item: Playfair Tennis Court Reconstruction Project  
Date: August 3, 2022  
Sponsor(s): David Selvage  
Prepared by: David Selvage  
Ward(s) Affected:  
 Ward 1                       Ward 4  
 Ward 2                       Ward 5  
 Ward 3                       Ward 6  
 All Wards                       N/A

**Action Required:**

Approve a contract with Western Excavating in amount not to exceed \$1,244,439.00 for reconstruction of Playfair Park Tennis Courts.

**Recommended Motion(s):**

I move the City Council: Approve a construction contract with Western Excavating in the amount not to exceed \$1,244,439.00 for reconstruction of Playfair Tennis Courts.

**Timeline:**

Committee discussion: Click or tap here to enter text.  
Council action (or sets hearing): Click or tap here to enter text.  
Public Hearing (if required): Click or tap here to enter text.  
Final Consideration Click or tap here to enter text.  
Deadline: Click or tap here to enter text.

**Background and Alternatives Explored:**

Playfair Tennis Court Reconstruction project was initially advertised for formal Invitation For Bid on May 8. Bids closed on June 7, 2022 at which time no bids were received. Subsequently, staff called a number of local construction firms and found nearly all were fully booked with work; were too busy to consider bidding the project; and/or they did not have capacity to take on the project (labor shortages). Western Excavating had advised they did not bid because their new asphalt batch plant was not operational at the time bids were solicited. Subsequently Western Excavating expressed interest in supplying a bid for the project.

Section 10.B of the adopted City Purchasing Policy provides:

**B. Direct negotiation.** When no bids or proposals are received in response to an IFB or RFP or if none of ones received are from responsible and responsive bidders or offerors, the Purchasing Agent may:

- i. Cancel and reissue the IFB or RFP. If the department elects to reissue the request for bids or proposals, the Purchasing Agent shall attempt to increase the number of potential vendors by modifying the specifications, allowing more time for the preparation of responses, broadening the potential pool of vendors, etc.

ii. Negotiate directly with a vendor. The Purchasing Agent may negotiate directly with a vendor or vendors if a determination is made that a subsequent IFB or RFP would also be unsuccessful.

iii. The department must document the circumstances that lead to direct negotiation for the desired goods or services.

Playfair's 12 court tennis complex was constructed in 2002. After 20 years of service, the asphalt courts are nearing the end of their useful life. The primary concern is the growing size and number of large deep cracks in the field of play. Many of the cracks formed in the last five (5) years and have increased in size and length. The cracking problem is due to type and age of the asphalt. Some cracks exceed 2 inches in width and many run through multiple banks of courts. At present, 3 courts are no longer playable and have been closed due to court conditions that present safety concerns.

According to the City's 2018 statistically valid parks and recreation survey, 22% of Missoula's households are interested in tennis programs. Missoula households that want or need sport courts (inclusive of basketball, tennis and pickleball) increased from 26% in 2011 to 46% in 2018. Tennis is also a sanctioned high school sport. Missoula County Public School's Tennis program relies in great part on being able to access and use Playfair courts. Playfair is the home court for students attending Sentinel High (Wards 4 and 5).

**Financial Implications:**

The proposed bid price is nearly 10% higher than the Department's 2020 cost estimate however, it is within the overall approved budget. A materials accelerator clause is included in the contract to address a variety of challenges with supply chains, inflation, and availability. The overall budget provides sufficient funding to provide for site restoration to finish the project.

**Links to external websites:**