



RQM-DPR-1600228

DEPARTMENT OF BUDGET AND FISCAL SERVICES  
NOTICE OF AMENDMENT TO SOLE SOURCE CONTRACT

TO: Chief Procurement Officer  
FROM: Department of Parks and Recreation/PMRS  
Department/Division/Agency

Pursuant to HRS § 103D-306 and HAR Chapter 3-122, Subchapter 9 the Department requests an amendment to sole source approval as follows:

- ✓ 1. Sole Source Reference Number: 797,799,804      2. Contract Number: MA-DPR-1500135 ✓
- 3. Vendor/Contractor/Service Provider Name: NyLawn, 580 Dillingham Blvd, Honolulu, HI 96817

4. Description of goods, services, or construction:  
 FY 2016 Additional Play Ground Equipment Restoration Funding Request.  
 For repair and replacement of playground equipment to include but not limited to the following sites listed:

Aikahi CP \$66,617.33  
 Crane CP \$63,419.36  
 Holanialii NP \$63,419.36  
 Kahaluu CP \$72,507.11  
 Kaimuki CP \$81,752.80  
 Kamamalu NP \$78,981.25  
 Maunawili Valley NP \$44,353.63  
 Old Stadium Park \$63,419.36  
 Pokai Bay BP \$66,617.33  
 Waiiau DP \$62,236.02  
 Total Additional FY 2016 Funding: \$663,323.55

FY 2017 Play Ground Equipment Restoration Funding Request.  
 For repair and replacement of playground equipment to include but not limited to the following sites listed:

Alewa NP \$69,859.74  
 Cartwright NP \$88,568.66  
 Date Street MP \$62,236.02  
 Kilauea DP \$62,236.02  
 Kuahelani NP \$62,236.02  
 Total for FY2107 Funding: \$345,136.46

Extend the terms of the sole source agreement for an additional twelve (12) month period to begin June 29, 2016 to June 28, 2017.

5. Request to amend is submitted in order to:

Revised the scope of services for the contract as follows:

Increase contract price by 10% or more:

Original Contract Price: \$ 587,965.72      Amended Contract Price: \$ 1,596,425.73

6. Explain in detail why this / these amendment(s) are necessary:

- 1) Requesting to increase the FY16 funding from \$472,096.00 to \$1,135,419.55.
- 2) Requesting to extend the term of the sole source agreement for an additional twelve (12) month period to begin June 29, 2016 and end June 28, 2017.
- 3) Amending to add funding request for FY17 for the amount of \$345,136.46.

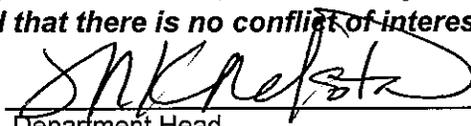
Summary of funding request:

Requesting for a new total agreement amount that will be the sum of FY15 (\$115,869.72), FY16 (\$1,135,419.55), and FY17 (\$345,136.46) equaling \$1,596,425.73.

Point of Contact for this request: Eileen Helmstetter EH 4/21/2016 Phone: 768-3050

Agency shall ensure adherence to applicable administrative and statutory requirements, including HAR chapter 3-122, Subchapter 15, Cost or Pricing Data if required.

**Pursuant to s 103D-306, HRS, and s 3-122-82, HAR. I certify that to the best of my knowledge, the above is true, correct and that there is no conflict of interest related to this procurement.**

  
\_\_\_\_\_  
Department Head Date

Reserved for BFS Use Only

Date Notice Posted: \_\_\_\_\_

Submit written objections to this notice of amendment to Sole Source Contract within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer  
Department of Budget and Fiscal Services  
530 South King Street, Room 115  
Honolulu, Hawaii 96813  
[bfspurchasing@honolulu.gov](mailto:bfspurchasing@honolulu.gov)

Chief Procurement Officer's Comments:

APPROVED  DISAPPROVED  NO ACTION REQUIRED

\_\_\_\_\_  
Chief Procurement Officer Date

MIRACLE RECREATION EQUIPMENT  
COMPANY

878 E HIGHWAY 60

MONETT, MISSOURI 65708 USA

TOLL FREE: 1-800-523-4202

PHONE: 417-235-6917 • FAX: 417-235-6816

WORLD WIDE WEB: <http://www.miracle->



COMMERCIAL PLAYGROUNDS •  
FITNESS CLUSTERS

ROPE CLIMBERS • BOULDER CLIMBERS

CLIMBERS, SPRING RIDERS & WHIRLS

PICNIC TABLES, BENCHES & GRILLS • SLIDES &  
SWINGS

BASKETBALL GOALS, BACKSTOPS & SOCCER  
GOALS

March 18<sup>th</sup>, 2016

To Whom It may concern:

This is to certify Rory Otto of Rec and Roll, LLC and Nylawn, is the Miracle Recreation Equipment Company exclusive and authorized representative/dealer for the state of Hawaii.

Any further questions, don't hesitate to contact me anytime.

Best regards,

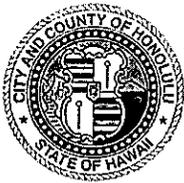
Kevin Walker  
Sales Administration and Customer Service Manager  
Miracle Recreation Equipment Company  
417-354-2234  
[kevin.walker@playpower.com](mailto:kevin.walker@playpower.com)

Sworn to and subscribed to me this 18th day of March 2016, by Kevin Walker.

Kim Adams



KIM ADAMS  
My Commission Expires  
April 13, 2018  
Lawrence County  
Commission #14435117



**DEPARTMENT OF BUDGET AND FISCAL SERVICES  
NOTICE & REQUEST FOR SOLE SOURCE**

**TO:** Chief Procurement Officer  
**FROM:** Dept of Parks & Recreation/PMRS  
Department/Division/Agency

Pursuant to HRS §103D-306 and HAR Chapter 3-122, Subchapter 9, the Department requests sole source approval to purchase the following:

1. Description of goods, services, or construction to be procured:  
Repair and replacement of playground equipment to include but not limited to the following sites listed:

Makaha CP	\$55,186.17	FY 2015
Pililaau CP	\$ 2,303.66	FY 2015
Kamokila CP	\$ 3,193.72	FY 2015
Kapolei CP	\$ 55,186.17	FY 2015
Asing CP	\$40,316.21	FY2016
Kalama Valley	\$46,699.92	FY2016
Maunawili NP	\$43,038.45	FY2016
Pacific Palisades CP	\$44,586.02	FY2016
Waialua DP	\$48,880.01	FY2016
Whitmore NP	\$48,575.84	FY2016

2. Vendor/Contractor/Service Provider Name: NyLawn 580 Dillingham Blvd, Honolulu, HI 96817 (808)485-8885		3. Amount of Request: \$ 115,869.72 FY 2015 \$ 472,096.00 FY 2016
4. Term of Contract: (Shall not exceed 12 months), if applicable From: Acceptance of contract To: Not to exceed 12 months		5. Prior Sole Source Ref No. 797,799

6. The good, service, or construction has the following unique features, characteristics, or capabilities:  
The play equipment replacement parts are required to be compatible with the existing play equipment.

7. How the unique features, characteristics, or capabilities of the goods, service or construction are essential for the agency?  
The same manufacturer's brand replacement parts are essential for proper functioning, safety and maintenance of the existing play structure.

8. Describe the efforts and results in determining that this is the only vendor/contractor/service provider who can provide the goods, services, or construction.  
NyLawn is the authorized installation representative and proprietorial to the manufacturer, evidenced by manufacturer's notarized letter.

9. Alternate source. Describe the other possible sources for the goods, services, or construction that were investigated but did not meet the agency needs.  
Customization of play equipment replacement parts as an alternate source is not practical, nor cost effective.

10. Person that will be responsible for managing this procurement:

Department/Division: Department of Parks & Recreation/PMRS

Contact Name/Title: Eileen Helmstetter/Parks Grounds Improvement Supervisor II

Phone Number: 808-768-3050

E-mail Address: mhelmstetter@honolulu.gov

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR Chapter 3-122, Subchapter 15, Cost or Pricing Data if required.

I certify that to the best of my knowledge, that the information provided above is true, correct, that there is no conflict of interest related to this procurement, and that the goods, services, or construction are available through only one source.

*Michelle Kletota*

*6/15/15*

Department Head

Date

Reserved for BFS Use Only

Date Notice Posted: *6/15/15*

*Date Notice Removed 6/22/15*

Submit written objections to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer  
Department of Budget and Fiscal Services  
530 South King Street, Room 115  
Honolulu, Hawaii 96813  
[bfspurchasing@honolulu.gov](mailto:bfspurchasing@honolulu.gov)

Chief Procurement Officer's comments:

APPROVED  DISAPPROVED  NO ACTION REQUIRED

*Wendy Chan*  
Chief Procurement Officer

*JUN 22 2015*  
Date

MIRACLE RECREATION EQUIPMENT  
COMPANY

878 E HIGHWAY 60

MONETT, MISSOURI 65708 USA

TOLL FREE: 1-800-523-4202

PHONE: 417-235-6917 • FAX: 417-235-6816

WORLD WIDE WEB: <http://www.miracle.com>



COMMERCIAL PLAYGROUNDS •  
FITNESS CLUSTERS

ROPE CLIMBERS • BOULDER CLIMBERS

CLIMBERS, SPRING RIDERS & WHIRLS

PICNIC TABLES, BENCHES & GRILLS • SLIDES &  
SWINGS

BASKETBALL GOALS, BACKSTOPS & SOCCER  
GOALS

June 30<sup>th</sup>, 2014

To Whom It may concern:

This is to certify Rory Otto of Rec and Roll, LLC and Nylawn, is the Miracle Recreation Equipment Company exclusive and authorized representative/dealer for the state of Hawaii.

Any further questions, don't hesitate to contact me anytime.

Best regards,

Kevin Walker  
Sales Administration and Customer Service Manager  
Miracle Recreation Equipment Company  
417-354-2234  
[kevin.walker@playpower.com](mailto:kevin.walker@playpower.com)

Sworn to and subscribed before me this 30<sup>th</sup> day of June, 2014.

Notary Public



KIM ADAMS  
My Commission Expires  
April 18, 2018  
Lawrence County  
Commission #14435117

UNANIMOUS CONSENT OF THE  
BOARD OF DIRECTORS OF

Miracle Recreation Equipment Company

Pursuant to Section 490.821 of the General Corporation Law of Iowa, the undersigned, being all of the directors of Miracle Recreation Equipment Company, an Iowa corporation (the "Corporation"), by their signatures, acting without notice or a meeting, do hereby waive notice and the holding of such meeting and consent to the adoption of the following actions and direct that this consent be filed with the official corporate minutes, such consent to have the same force and effect as a unanimous vote of the directors at a meeting duly held.

RESOLVED, that effective February 28, 2014, Jim Peffennan resigned his employment with Miracle Recreation Equipment Company, and such resignation was accepted.

FURTHER RESOLVED, that effective March 1, 2014, Kevin Walker was elected to the office of Manager.

FURTHER RESOLVED, the following persons are elected to the offices of the Corporation set opposite their names, to serve in accordance with the Bylaws of the Corporation, and at the discretion of the Board of Directors until their successors are elected and qualify or until their earlier resignation or removal:

Joe Copeland	President and CEO
Mike Pruss	Executive VP, Secretary and CFO
Dan Guthrie	Executive VP of Americas Sales and Development
Brenda McClelland	Controller
Kevin Walker	Manager

FURTHER RESOLVED, that the appropriate officers of the Corporation are hereby authorized to take all of the necessary steps, or cause to be executed and delivered all such documents, instruments and certificates, including any and all documents in the name of and on behalf of the Corporation as they may deem necessary, advisable or appropriate to execute or carry out the purpose and intent of the foregoing resolution.

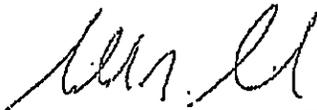
FURTHER RESOLVED, that the Board of Directors hereby ratifies all other actions taken by the directors and officers of the Corporation, by or on behalf of the Corporation, from the date of December 31, 2012 to the present.

IN WITNESS WHEREOF, the undersigned have executed this Unanimous Consent this  
23rd day of April, 2014



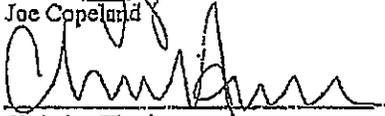
---

Joe Copeland



---

Gerald Girardi



---

Christine Harrington

BEING ALL OF THE DIRECTORS OF THE CORPORATION