

# CITY OF HIGH POINT

## AGENDA ITEM



<b>TITLE:</b> Consideration of a Sole Source Contract with North State Resurfacing	
<b>FROM:</b> Lee Tillery, Director – Parks & Recreation	<b>MEETING DATE:</b> August 19, 2024
<b>PUBLIC HEARING:</b> N/A	<b>ADVERTISED DATE/BY:</b> N/A
<b>ATTACHMENTS:</b> Proposal – North State Resurfacing North State Sole Source Letter	

**PURPOSE:** Sole Source Contract with North State Resurfacing for outdoor court repair at Allen Jay Recreation Center. Work includes the resurfacing of the basketball court, as well as the resurfacing of the existing tennis court area with a conversion to four pickle ball courts.

**BACKGROUND:** The need for resurfacing or replacement of outdoor courts in our Parks & Recreation infrastructure is prevalent due to the age of many of these amenities. We have addressed these similar types of deferred maintenance issues in several parks over the last several years. We are now at a point where we need to resurface the outdoor courts at Allen Jay Recreation Center. This includes the basketball court and existing tennis court area. Our plan is to convert the tennis surface area to four pickle ball courts during this renovation.

A prevalent maintenance issue we see with our aging outdoor court is unstable underlying surface and materials that leads to surface expansion and cracking. The proprietary method that North State employs is a method that addresses existing cracks by applying acrylic binders that create mechanical reinforcement to prevent future cracks from forming. This method is called the Polypave Court Shield System and we have utilized this same system in four different locations here over the last five years. Those locations include Washington Terrace, Cedrow and Goldston Park basketball courts, along with the Pickleball courts at Armstrong Park. The results have been great and this type of system is working well in all these locations.

**BUDGET IMPACT:** Project cost is \$66,480 and funds are budgeted in the Parks & Recreation Capital Improvement Plan.

**RECOMMENDATION/ACTION REQUESTED:** The Parks & Recreation Department recommends approval of this item and that appropriate City officials be authorized to execute the contract with North State Resurfacing on the City's behalf.





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Highpoint, NC 27263

**Print Date:** 8-7-2024

### Proposal for Allen Jay Rec Center

[www.northstateresurfacing.com](http://www.northstateresurfacing.com)

**NC License#: 73842**  
**VA License#: 2705157542**

Thank you for allowing us to provide a proposal for your project. Established in 1990, North State Resurfacing specializes in the construction and resurfacing of tennis courts, basketball courts, pickleball courts and a wide variety of multi-use recreational surfaces.

Customer satisfaction is our main goal. Superior materials, quality workmanship and attention to detail have earned us an excellent reputation with our clients. As an authorized distributor and applicator of [Nova Sports USA](#), the world's best all-weather sports surface and [Laykold - Official Surface of the US Open](#).

North State Resurfacing is also the exclusive developer and installer of the North State Polyester System – an innovative, guaranteed process for repairing cracks.

Fully licensed, bonded and insured, we have the experience and technical support to address a wide variety of surfaces and field conditions. We would greatly appreciate the opportunity to assist you with your project.

## **Authorized installer of:**



## Allen Jay Resurfacing Project

Conversion of two (2) tennis courts into four (4) pickleball courts.

Standard Resurfacing of the existing basketball court.

### Mobilization

Items	Description
Mobilization	Includes travel, setup, rentals, and labor.

### Fencing

Pickleball Court Conversion

Items	Description
Pickleball Divider Fence	Provide and install vinyl coated 5' tall chain link fence system to separate the pickleball courts.

### Net Post Foundations

Pickleball Court Conversion

Items	Description
Pickleball Net Post Foundation	Dig and set concrete foundations for four (4) pickleball net post foundations and four (4) center strap anchors. Net post foundations will be 18" x 18" wide and 36" in depth with sleeves. Center strap anchors will be 12" x 12" wide and 12" in depth.

### Surface Preparation

Pickleball Court Conversion and Basketball

Items	Description
Court Debris Removal	Clean and scrape courts of all loose material, dirt, foreign matter and debris.
Vegetation Removal	Remove vegetation from cracks and the inside perimeter of the courts.
Pressure Washing	Pressure wash court surface as needed
Burn & Herbicide	After vegetation has been removed, burn root growth with a propane burner then treat with an herbicide.
Birdbaths/Depressions	North State to patch depressions/birdbaths holding more than 1/8" water, after one hour on a sunny, 70-degree Fahrenheit day, with acrylic patching material. North State shall tack-coat all depressions prior to patching. North State cannot guarantee the elimination of standing water, although it will be improved. Price includes one (1) application of patch material.

Items	Description
Patch Work	Patch any structural cracks, dings, etc. in the asphalt surface using an acrylic patching material.

## Preventative Crack Repair

Pickleball Court Conversion and Basketball

Items	Description
2120 - Polypave Court Shield	Apply Polypave Court Shield to the entire surface of one (1) basketball court and four (4) pickleball courts. Polypave is designed to create a strong mechanical reinforcement and bond on the new asphalt layer. This application significantly reduces the likelihood of deficiencies in the asphalt, which are common causes of spiderweb cracking. The use of Polypave Court Shield will enhance the durability and appearance of the court surfaces, ensuring a longer lifespan and a more consistent playing experience. Expansion Joints are not covered with any repair fabrics.

## Surfacing

Pickleball Court Conversion and Basketball

Items	Description
Acrylic Resurfacer	Apply two (2) coats of NOVA, sand-filled acrylic resurfacer, (or equivalent) to the entire court surface as a filler coat following the manufacturer's directions and application rates.
Color Coats	Apply two (2) coats of NOVA, sand filled color resurfacer, (or equivalent) to the entire court surface as a color coat following the manufacturer's directions and application rates.

## Playing Lines

Pickleball Court Conversion and Basketball

Items	Description
Line Primer	Prior to painting lines, provide one (1) coat of Nova Seal-A-Line (or equivalent) to seal tapes for a crisp/sharp line edge.
Pickleball Lines	Layout, tape and hand paint 2" wide pickleball lines using Novatex, textured acrylic line paint (or equivalent). Dimensions of the playing lines will be provided in the attached drawing.
Basketball Lines	Layout, tape and hand paint 2" wide playing lines using Novatex, textured acrylic white line paint (or equivalent).

## Completion

Items	Description
Install New Putterman Pickleball Net Posts	Provide and install four (4) Putterman pickleball net posts with external wind reels and removable handles.
Install New Putterman Pickleball Nets	Provide and install four (4) Putterman nets including the center straps.

Items	Description
Clean & Inspection	North State to clean up area and dispose of all debris related to our scope of work. Leave courts ready for play.

**Total Price: \$66,480.00**

**Color:** As desired from the color chart. Please view selections at:

[Biggest color in Tennis — Laykold - Official Surface of the US Open.](#)

[Color Selector | Nova Sports U.S.A.](#)

**Payment:** Individual billings as the work progresses. A deposit may be requested for materials. Unpaid balances are subject to finance charges of 1.5% per month. Credit verification may be required. Terms: Net 10 days.

**Guarantee:** One (1) year against defective materials and labor unless otherwise noted.

- 1. Standard Patch Work:** We cannot guarantee that cracks won't reappear in a short period of time.
- 2. Guardian Crack Repair:** Guaranteed for 2 years against the reappearance of cracks that have been treated. This warranty does not cover any other areas except the areas treated.
- 3. Polypave Court Shield:** Offers a 1-year warranty against cracks treated on the entire court surface, except for areas within 2 feet of the fence, which are not guaranteed.
- 4. Polyester Crack Repair:** This method typically prevents treated cracks from reappearing. However, it does not come with a guarantee and is considered equivalent to standard acrylic patching material in terms of warranty coverage.

#### **Birdbaths/Depressions:**

- This item excludes major depressions or damages indicative of significant paving errors, defined as any depression deeper than 1/8 of an inch, or spanning a diameter or length greater than 5 feet.
- Issues fitting the above criteria should be addressed by the contractor responsible for the initial paving, as they fall outside the typical scope of wear-and-tear maintenance.
- North State Resurfacing will focus on improving water drainage and surface levelness but cannot guarantee complete elimination of standing water in affected areas.
- Repairs under this item are limited to minor adjustments and do not include comprehensive re-paving or large-scale reconstruction.
- North State Resurfacing is not liable for rectifying extensive surface issues that are clearly a result of initial paving/construction errors. Such cases should be directed to the initial paving contractor under their warranty or service agreement.
- Clients are advised to review and confirm the condition of the court prior to the commencement of work. Any discrepancies should be reported immediately to North State Resurfacing.

#### **Weather Limitations:**

- \* Air and surface temperatures must be 50 degrees F and rising.
- \* Installation cannot be performed when rain is imminent or extremely high humidity prevents drying.
- \* Installation cannot be performed if the surface temperature is above 140 degrees F.

#### **Notes:**

- This proposal may be withdrawn by us if not accepted within **30** days.
- Owner shall provide potable water and electricity to within 200' of courts.
- Suitable access to the courts shall be provided along with an area for washing our equipment.
- North State Resurfacing cannot guarantee that cracks won't reappear in a short period of time unless a form of guaranteed crack repair is accepted.
- Occasionally crack repair systems such as Guardian or Polyester may cause dead spots or buckling of the surface, this should be considered normal.
- Standing water (birdbaths) may only be minimized due to possible inadequate slope/drainage. Only one attempt will be made at the contracted price.

- The Contract Price does not include boring through any rock. North State is willing to perform said work upon the parties' mutually signing a written change order.
- One (1) mobilization included, each additional @ \$3,000.00
- Rust stains caused by asphalt content are not guaranteed.
- Damages caused by miscellaneous growth under or within the asphalt surface such as roots, fungus, etc. are not guaranteed.
- Excessive amounts of moisture under the court surface may affect our surface materials negatively. This condition may include, but not limited to seeping water, degradation of the asphalt and surfacing materials including dead spots and/or bubbles in our surfacing materials. North State is not responsible for these conditions. North State may recommend consulting a Geotechnical Engineer if these conditions exist.
- Layout, traffic control, permits, testing and inspection not included unless specifically noted above.
- Not responsible for any damages to property associated with accessing the courts such as curbs, gutters, walkways, etc.
- North State Resurfacing shall not be held liable for consequences resulting from damage to underground utilities or objects that are not adequately located by the property owner and/or the governing local underground locating service.
- North State Resurfacing carries appropriate Liability and Workman's Compensation insurance.
- Owner shall carry Fire, Tornado and any other pertinent insurance.
- Owner responsible for re-seeding grass and replacement of any shrubbery that may be disturbed during the project.
- Owner shall provide suitable area for storing materials such as fencing and electrical components.
- Owner understands that North State Resurfacing relies upon the Owner's promise to pay according to the terms of this Proposal/Contract. Therefore, a late charge of one and one half percent (1-1/2%) per month (18% per annum) will be added to all past due accounts. If it becomes necessary to employ a collection agency, or to initiate legal proceedings in order to enforce this agreement, North State Resurfacing shall be entitled to recover their costs and attorneys' fees, and such fees shall be added to this Proposal/Contract.
- Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

I confirm that my action here represents my electronic signature and is binding.

**Signature:**

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**Date:**

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**Print Name:**

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*North State Resurfacing, Co.*  
*Post Office Box 387*  
*Wendell, NC 27591*  
*Office: (919) 365-7500*  
*www.northstateresurfacing.com*  
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*www.polypavecourtshield.com*



*Tennis Court Construction*  
*Resurfacing and Repair*  
*Pavement Games*  
*Accessories*

The Polypave Court Shield System is a proprietary method developed by North State Resurfacing for preventing cracks from forming on a recreational court surface.

\*Abstract: The purpose of this invention is to prevent the formation of cracks or the reappearance of cracks in asphalt and concrete sport surfaces such as tennis, pickleball and basketball. This method involves the application of a soft polyester fabric (Fortress 97423) to the entire court surface using a mixture of acrylic binders. Following the established method of this invention, will create a mechanical reinforcement of the paved surface which will prevent cracks from forming.

\*Description:

Background

All asphalt and concrete surfaces will eventually develop cracks. Cracks usually form due to expansion rate differences of the pavement and underlying materials. It is generally accepted that new asphalt and concrete surfaces will develop some form of cracking at which point a variety of repair methods are usually installed in an attempt to prevent the crack from reappearing and/or propagating.

There has been some success in preventing cracks from forming in concrete surfaces using post tensioning or pre-stressed concrete. Steel cables form a mechanical reinforcement within the concrete slab, limiting the amount of expansion thus preventing significant cracks from forming. The method of the invention for which I will describe is similar to post-tensioned concrete in that it too provides a mechanical reinforcement of the court surface.

Over the years there have been other types of fabrics used to reinforce the court surface such as a fiberglass membrane, coated with an oxidized binder (Fortress 9100). The general idea for using the fiberglass is the same as using the soft polyester, however, the soft polyester is far superior in tear strength and elongation to break tests. The soft polyester not only absorbs the movement of the pavement but seems to strengthen the entire surface.

This invention involves installing the soft polyester to the entire surface of the pavement only and not to isolated areas.

There are many crack repair methods on the market today for repairing cracks in existing asphalt and concrete recreational surfaces. The majority of these products create some form of barrier between the old and new surface, absorbing the expansion and contraction of the underlying crack. The materials used in this type of repair are not adhered directly to the existing surface except along the edges of the materials used for the repair. This allows movement underneath the fabric and transfers the stress to the edges of the repair. These types of repairs generally work well in preventing the existing crack underneath the repair fabric from reappearing. However, new cracks usually form along the edges of the repair fabric as these areas are where the stress is focused on. Additionally, this type of repair does not address the entire surface of the recreational court and is only installed in isolated areas.

Installing the Polypave Court Shield over the entire surface of the asphalt or concrete is what differentiates this invention from other types of crack repair systems. Treating the entire area as one unit provides continuity of the paved surface and eliminates the possibility of new cracks forming which is inherent with all other crack repair inventions.

While this invention works well on existing asphalt and concrete surfaces, ideally the process is most beneficial if installed on new surfaces.

Originally, the soft polyester was manufactured to be used as a roofing product. Determining the best way to install the polyester on a paved surface proved to be the most difficult part of this invention as there was not an established method for this type of application. Eventually, the right combination of acrylic binders was found that would provide ease of application and withstand the test of time without de-laminating from the paved surface.

**SOLE SOURCE JUSTIFICATION FORM**

(For Items Costing **\$10,000.00 or More**)  
Statutory Reference N.C.G.S. 143-129(e)6

Requisition #

Vendor:

Item(s):

Justification:

The North State Polyester System is a proprietary method developed by North State Resurfacing for preventing cracks from forming on a recreational court surfaces. We have utilized this same system in previous applications for our Department and have seen the durability and effectiveness of this product.

Estimated expenditure for the above item(s):

Accounting Unit and Account(s):

CHECK ALL ENTRIES BELOW THAT APPLY TO THE PROPOSED PURCHASE.  
ATTACH A MEMO CONTAINING JUSTIFICATION AND SUPPORT  
DOCUMENTATION.

1.  Performance or price competition for a product are not available.
2.  A needed product is available from only one source of supply.
3.  Standardization or compatibility is the overriding consideration.
4.  The parts/equipment are required from this source to permit standardization.
5.  None of the above applies. A detailed explanation and justification for this sole source request is contained in attached memo and support documentation.

The undersigned requests that competitive procurement be waived and that the vendor identified as the supplier of the material or service described in this sole source justification be authorized as a sole source for the material or service.

Department Head/Authorized Personnel  Digitally signed by Lee Tillery  
Date: 2024.08.12 09:53:50 -04'00'

Department/Division  Date

APPROVAL PROCESS

Purchasing Manager  Digitally signed by Candy E. Harmon  
Date: 2024.08.12 11:00:17 -04'00'

Financial Services Director

City Council (\$30,000 – Up)

