

CITY OF HIGH POINT

AGENDA ITEM



TITLE: Consideration of a Sole Source Contract with North State Resurfacing	
FROM: Lee Tillery, Director – Parks & Recreation	MEETING DATE: November 18, 2024
PUBLIC HEARING: N/A	ADVERTISED DATE/BY: N/A
ATTACHMENTS: Proposal – North State Resurfacing North State Sole Source Letter Sole Source Justification Form	

PURPOSE: Sole Source Contract with North State Resurfacing for outdoor court repair at Oak Hollow Tennis Center. Work includes the resurfacing of the two outdoor hardcourt tennis 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 many parks over the last several years. The two outdoor courts at Oak Hollow Tennis are adjacent to the eight clay courts and provide opportunity for year-round play. The courts are in disrepair and this work will address the playability concerns along with providing improved accessibility.

A prevalent maintenance issue we see with our aging outdoor courts 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 five 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 and Allen Jay Recreation Center. The results have been great and this type of system is working well in all these locations.

BUDGET IMPACT: Project cost is \$35,941 and funds are budgeted in the Parks & Recreation Capital Improvement Plan.

RECOMMENDATION/ACTION REQUESTED: City Council is requested to consider a sole source contract with North State Resurfacing in the amount of \$35,941 for outdoor court repair at Oak Hollow Tennis Center and authorize the appropriate City Official(s) to execute all necessary documents.





PO Box 387 • Wendell, NC 27591 • Phone: 919-365-7500

City of High Point/ Eugene Coleman
Phone: 336-883-3312

1301 Brentwood Street
High Point, NC 27260

Job Address:
3401 N. Centennial St.
High Point, NC 27260

Print Date: 10-30-2024

Proposal for J. Brooks Reitzel Tennis Center

www.northstateresurfacing.com

NC License#: 73842 | VA License#: 2705157542

Thank you for considering North State Resurfacing for your project. Since 1990, we have specialized in the construction and resurfacing of tennis courts, basketball courts, pickleball courts, and a wide variety of multi-use recreational surfaces.

At North State Resurfacing, customer satisfaction is our top priority. Our commitment to using superior materials, delivering quality workmanship, and paying attention to detail has earned us an outstanding reputation among our clients. We are proud to be an authorized distributor and applicator of Laykold, the official surface of the US Open, and Nova Sports USA, known for the world's best all-weather sports surfaces. Additionally, we are the exclusive developer and installer of the North State Polyester System, an innovative and guaranteed process for repairing cracks.

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

AUTHORIZED INSTALLERS OF:



Laykold[®]

The surfacing of two (2) tennis courts at 108' x 120'

Mobilization

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

Surface Preparation

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

Preventative Crack Repair

Items	Description
2120 - Polypave Court Shield	Apply Polypave Court Shield to the entire surface of two (2) existing tennis 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

Items	Description
Acrylic Resurfacer	Apply two (2) coats of Laykold, 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 Laykold, 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

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.
Tennis Lines	Layout, tape and hand paint 2" wide playing lines using Novatex, textured acrylic white line paint (or equivalent). Dimensions of the playing lines are to conform to USTA specifications.

Completion

Items	Description
Refurbish Net Post	Clean net posts of all rust, then spray paint using RUSTOLEUM rust preventative paint.
Install New Putterman Tennis Net	Provide and install two Putterman Tennis Court Nets.
Clean & Inspection	North State to clean up area and dispose of all debris related to our scope of work. Leave courts ready for play.

Options

All options are additions to the TOTAL PRICE

Items	Description
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. ADD: \$350.00 Per Court

Total Price: \$35,941.00

Proposal Terms and Conditions:

1. Validity of Proposal:

This proposal is valid for 30 days from the date issued and may be withdrawn if not accepted within this period.

2. Owner's Responsibilities:

- The Owner shall provide potable water and electricity within 200 feet of the courts.
- Suitable access to the courts, including an area for washing equipment, must be provided.
- The Owner is responsible for re-seeding grass and replacing any shrubbery that may be disturbed during the project.
- The Owner shall provide a suitable area for storing materials such as fencing and electrical components.
- The Owner shall carry Fire, Tornado, and any other pertinent insurance.

3. 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.

4. Surface and Material Limitations:

- North State Resurfacing cannot guarantee that cracks won't reappear unless a guaranteed crack repair system is accepted. Crack repair systems such as Guardian or Polyester may cause dead spots or buckling of the surface; this is considered normal and not a

defect.

- Standing water (birdbaths) may only be minimized due to possible inadequate slope or drainage. Only one attempt will be made to correct this issue at the contracted price.
- Rust stains caused by asphalt content are not guaranteed.
- Damages caused by growth under or within the asphalt surface, such as roots or fungus, are not guaranteed.
- Excessive moisture under the court surface may negatively affect our surface materials, including seeping water, degradation of asphalt, dead spots, and/or bubbles. North State Resurfacing is not responsible for these conditions. Consulting a Geotechnical Engineer may be recommended if these issues exist.

5. Birdbaths/Depressions Disclaimer:

- **Scope of Work:** North State Resurfacing will focus on improving water drainage and surface levelness. However, this item specifically excludes addressing major depressions or damages indicative of significant paving errors.
- **Definition of Major Depressions:** Major depressions are defined as any depression deeper than 1/8 of an inch or spanning a diameter or length greater than 5 feet. These issues fall outside the scope of typical wear-and-tear maintenance.
- **Responsibility for Major Depressions:** Issues fitting the criteria above should be addressed by the contractor responsible for the initial paving. North State Resurfacing is not liable for rectifying extensive surface issues resulting from initial paving or construction errors. These cases should be directed to the initial paving contractor under their warranty or service agreement.
- **Limitations of Repair:** Repairs under this item are limited to minor adjustments and do not include comprehensive re-paving or large-scale reconstruction. North State Resurfacing cannot guarantee the complete elimination of standing water in affected areas.
- **Client Responsibilities:** 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.

6. Exclusions:

Layout, traffic control, permits, testing, and inspection are not included unless specifically noted above.

7. Access and Property Damage:

North State Resurfacing is not responsible for any damages to property associated with accessing the courts, such as curbs, gutters, walkways, etc.

8. Underground Utilities Disclaimer:

North State Resurfacing shall not be held liable for any consequences resulting from damage to underground utilities or objects not adequately located by the property owner and/or the governing local underground locating service.

9. Rock Boring Exclusion:

The contract price does not include boring through any rock. North State Resurfacing is willing to perform such work upon mutual agreement and the signing of a written change order.

10. Mobilization:

One (1) mobilization is included. Each additional mobilization will incur a charge of \$3,000.00.

11. Payment Terms:

- Individual billings will be issued as work progresses. A deposit may be requested for materials.
- Unpaid balances are subject to finance charges of 1.5% per month (18% per annum). Credit verification may be required.
- Terms: Net 30 days.
- If collection efforts or legal action become necessary to enforce this agreement, North State Resurfacing shall be entitled to recover all costs and attorneys' fees, which will be added to the amount due under this Proposal/Contract.

12. Alterations and Deviations:

Any alteration or deviation from the above specifications involving extra costs will only be executed upon written order and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control.

13. Insurance Coverage:

North State Resurfacing carries appropriate Liability and Workman's Compensation insurance.

14. Color Selection:

Color will be as desired from the color chart. Please view selections at: [Biggest Color in Tennis — Laykold - Official Surface of the US Open](#) and [Color Selector | Nova Sports U.S.A.](#)

15. Guarantee:

- One (1) year against defective materials and labor unless otherwise noted.
- **This service includes a 1-year warranty against the reappearance of treated cracks, except within 2 feet of the fencing. Please refer to the exclusions or warnings in Section 4 for further details on crack repairs.**

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

Signature:

Date:

Print Name:

North State Resurfacing, Co.
Post Office Box 387
Wendell, NC 27591
Office: (919) 365-7500
www.northstateresurfacing.com
NCGCL#: 73842 VACL #2705157542
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:

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: 2024.10.30 11:39:10 -04'00'

Department/Division Date

APPROVAL PROCESS

Purchasing Manager Digitally signed by Candy E. Harmon
Date: 2024.10.31 11:59:02 -04'00'

Financial Services Director Digitally signed by Bobby Fitzjohn
Date: 2024.10.31 12:10:43 -04'00'

City Council (\$30,000 – Up)

