



## **PARKS & RECREATION**

**To: Mayor and Town Council**

**From: Dan Baker, MBA, Director of Parks and Recreation**

**Through: Ron Patterson, Interim Town Manager  
Robyn Battle, Executive Director of Community Services**

**Re: Windsong Park Playground Surface**

**Town Council Meeting – November 22, 2022**

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### **Agenda Item:**

Consider and act upon approval of the Buy Board Contract for pour-in-place surfacing installation for Windsong Park from Child's Play, Inc., through the Texas Local Government Purchasing Cooperative; and authorizing the Interim Town Manager to execute documents for the same.

### **Description of Agenda Item:**

The Town of Prosper was approached by Facts of Windsong, a non-profit group, with a desire to replace the playground surface at Windsong Park with a pour-in-place rubber surfacing. The current surface material is engineered FIBAR (wood chips). The group informed the Town that they would pursue fund-raising to pay for this conversion. This Playground is part of a maintenance agreement between the Town (Park Owner), PISD (Playground user group) and the Windsong HOA (park maintenance until 70% of the development is constructed). All parties involved have supported the project.

To date, Facts of Windsong has raised \$85,000 over the last two years. When the project was first discussed, this would have been sufficient to pay for the rubber surfacing, however, due to inflation and supply issues, they were still short in funds. The estimated cost of the resurfacing is \$107,900.00. The Town and PISD have agreed to share the delta between the amount raised and how much is left. In addition, the Town has agreed to remove the existing FIBAR (wood chips) and provide an onsite dumpster, which will help lower the overall cost. An agreement of this arrangement was signed, and funds have been received to begin the project.

Local governments are authorized by the Interlocal Cooperation Act, V.T.C.A. Government Code, Chapter 791, to enter into joint contracts and agreements for the performance of governmental functions and services, including administrative functions normally associated with the operation of government (such as purchasing necessary materials and equipment).

The Town of Prosper entered into an interlocal participation agreement in June 2005, providing the Town's participation in the Texas Local Government Purchasing Cooperative. Participation in the cooperative purchasing program allows our local government to purchase goods and services

from the cooperative's online purchasing system, BuyBoard, while satisfying all competitive bidding requirements.

**Budget Impact:**

The purchase price is \$107,800.00. As per the agreement, the Town will contribute \$11,500.00 towards the project from the department budget. This Buyboard Purchase will be funded from account #100-5355-60-02.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard Buy Board Contract as to form and legality.

**Attached Documents:**

1. Buyboard Proposal
2. Windsong Playground Letter Agreement

**Town Staff Recommendation:**

Town staff recommends that the Town Council approves the Buy Board Contract for pour-in-place surfacing installation for Windsong Park from Child's Play, Inc., through the Texas Local Government Purchasing Cooperative; and authorizing the Interim Town Manager to execute documents for the same.

**Proposed Motion:**

I move to approve the Buy Board Contract for pour-in-place surfacing installation for Windsong Park from Child's Play, Inc., through the Texas Local Government Purchasing Cooperative; and authorizing the Interim Town Manager to execute documents for the same.