

**CITY OF LONG BRANCH
MONMOUTH COUNTY, NEW JERSEY
REQUEST FOR PROPOSALS AND QUALIFICATIONS**

INFLATABLE WATERSLIDE CONCESSION



MAYOR JOHN PALLONE

GEORGE S. JACKSON, BUSINESS ADMINISTRATOR

CITY COUNCIL

ROSE WIDDIS

BILL DANGLER

DR. MARY JANE CELLI

DR. ANITA VOOGT

MARIO VIEIRA

DUE DATE: MAY 16, 2019 @11AM

CITY OF LONG BRANCH
NOTICE TO PROSPECTIVE VENDORS

INFLATABLE WATERSLIDE CONCESSION
AT THE OCEANFRONT WITHIN THE CITY OF LONG BRANCH BEACHES

TAKE NOTICE, that the City of Long Branch is seeking proposals, pursuant to the competitive contracting process set forth in N.J.S.A. 40A:11-4.1 (j), from interested vendors who will offer an inflatable waterslide to the public, on a daily basis, on the City's beaches, during the summer season of 2019. All proposals shall be subject to the following requirements:

1. Proposals must be received on or before 11:00 a.m. prevailing time on Thursday, May 16, 2019, in order to be considered. All proposals shall be delivered to the attention of the Long Branch City Clerk, Kathy Schmelz, at City Hall (Second Floor), 344 Broadway, Long Branch, N.J., 07740. All proposals shall be submitted in a sealed envelope, and shall bear the words "Proposal for Inflatable Waterslide" written conspicuously on the front exterior of the envelope. Proposals shall be opened, read aloud and recorded at 11:00 a.m. prevailing time on Thursday, May 16, 2019. No proposals shall be considered if received after that time. It is the vendor's responsibility to ensure that delivery of the proposal is made to the City Clerk, and not merely to the City's Municipal Building, in a timely manner.
2. The term of the contract shall start on or about Friday, June 14, 2019 and shall extend through Friday, September 20, 2019 for the 2019 summer season, with an option to renew the contract for two (2) additional years. The option period for the two (2) additional years shall cover the summer seasons of 2020 and through 2021 (extending from the Friday of Memorial Day weekend through September 30th of each year). Exercise of the option to renew shall be subject to the mutual agreement of both parties. The life of the entire contract shall not exceed the summer seasons of three (3) years.
3. The storage of inflatable waterslide and all equipment associated with this contract shall be subject to the prior approval of the City. This shall include the storage area(s) involved, the type(s) of facility (ies), and any other associated issues.
4. The successful vendor shall be required to deposit with the City Clerk a ten percent (10%) deposit (based on the vendor's 2019 proposal price), which shall be in cash or by certified check, by the end of the business day on Thursday, May 16, 2019.
5. The balance of the contract price (which is the amount of the proposal less the deposit above), shall be paid at the time of the contract execution. Said balance shall be paid in cash or by certified or bank check.
6. The successful vendor must execute a written contractual Agreement with the City, which Agreement shall be in a form satisfactory to the City Attorney, within ten (10) business days after acceptance of the proposal by the Mayor and Council.
7. The successful vendor must provide comprehensive general liability insurance coverage in the amount of \$5,000,000.00, and shall name the City as an additional insured on its policy. This requirement, and all other requirements, shall be specified in the written contractual Agreement between the parties.
8. The Mayor and Council of the City of Long Branch reserve the right to reject all proposals, in the sole discretion of the City, and to waive any minor nonmaterial defects when it may be in the best interests of the City to do so.

9. *Any questions regarding the requirements associated with submission of a proposal may be directed during regular business hours to the Purchasing Agent, David Spaulding, at City Hall, prior to the opening of proposals. Mr. Spaulding may be reached at telephone number (732) 571-5655.*

CITY OF LONG BRANCH

REQUEST FOR PROPOSALS AND QUALIFICATIONS

INFLATABLE WATERSLIDE CONCESSION

MAY 2019

I. Background

In an effort to promote tourism as a leading seashore destination, the City of Long Branch is seeking seasonal concessions to enhance the experience of visitors and showcase the City's public beaches.

II. Scope of Services Required

The City is seeking proposals and a statement of qualifications, pursuant to the competitive contracting process set forth in N.J.S.A. 40A:11-4.1(j), from interested vendors to provide inflatable waterslide concession services to the public commencing on or about **Friday, June 14, 2019, and concluding on or about Friday, September 20, 2019**. The concession would be utilized on the City's public beaches. This is an exciting opportunity for prospective vendors.

The term of the contract(s) to be awarded is for one (1) summer season of approximately four (4) months, renewable annually, at the mutual option of the parties, not to exceed three (3) years in total duration.

The use of the City's public beaches by the Contractor for the above-described purposes shall be on a non-exclusive basis, however the City shall not enter into any other contracts with any other vendors to provide the same service as described above without the prior written consent of the Contractor.

A. OPERATING REGULATIONS

1. All city, county, federal and state laws, ordinances, and regulations relating to the operational use of the city's beachfront areas, shall be adhered to by the Vendor, his/hers representatives and employees. This shall relate to laws, ordinances, and regulations currently in force and those adopted hereafter.
2. The Vendor will conduct his/hers /its operation and provide contracted services, in such a manner as to maintain reasonable quiet and minimize disturbance to the general public.
3. Vendor shall perform any repairs, cleaning and other maintenance as required to maintain a clean and safe working environment on a continuous and immediate schedule. Vendor shall maintain the Concession operation so as to provide an aesthetically pleasing appearance and not be detrimental to the immediate surroundings.
4. The Vendor's vehicles, trailers and equipment shall be in a neat, clean and well-maintained condition at all times. Any repairs, cleaning or other maintenance as required to maintain a clean and safe environment, shall be provided on a continuous and immediate schedule.

B. PARKING REQUIREMENTS

1. No parking spaces will be provided by the City. Vendor and his/hers/its customers shall utilize those parking facilities available to the general public.

C. EQUIPMENT

1. Beach equipment as referred to herein shall mean inflatable waterslide. The Vendor shall not be authorized to rent any equipment, which is not scheduled in his/hers proposal and covered by his/hers insurance policy furnished to the City unless prior to such rental, the Vendor received approval for the City in writing.

The City shall approve the design, type, material and color as defined below prior to the commencement date of this contract.

THE SUCCESSFUL VENDOR MUST BE ABLE TO PROVIDE STATE OF NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS CERTIFIED RIDE LIST

D.EQUIPMENT MINIMUM SPECIFICATIONS:

INFLATABLE WATERSLIDE: THE DESIGN, TYPE, AND MATERIAL SHALL BE AS FOLLOWS:

The inflatable waterslide should be manufactured using the following three processes:

- (A) 2 (two) inch (50mm) heat welded seams
- (B) Double sewn seams using 10,000 lb. (4,500 kg) AFR rated thread
- (C) 2 (two) inch (50mm and 4 inch (100mm) heat cured glued joints

MATERIALS:

The materials used in manufacturing of the waterslide should be of the highest standards required by law. The stairs are manufactured using high density polyethylene and the slide is manufactured using the following materials:

- (A) 18oz /square yard (0.563g/square meter) FR rated PVC vinyl sheeting
- (B) 10,000lb (4,500kg) FR rated netting
- (C) 10,000lb (4,500 kg) FR rated thread

Dimensions and Weight: Should be made up of four (4) parts, leg structure the slide body, the slide extension, and the landing spot

	Feet	Meters
Total length of the slide	175	53.3
Width at the widest point	47	14.3
Height at highest point	36	11.0
Length of extension	50	15.2
Length of landing bed	25	5.5
Height to the platform	26	7.9

INFLATION & PRESSURE:

Should operate on two high output 1.5 hrse power blowers, producing 7.5 inches of static pressure. Inflation time from start to finish should be 10 to 20 minutes. Blowers must be plugged into GFI grounded circuits.

- (A) United States and Canada: Inflate with 2 X 115v 1.5 hp blowers.

WIND LOADS:

Maximum wind load: 45mph.

SLIDE MAINTENANCE: The slide can be easily cleaned with a cloth or light bristle brush. Use a silicone based solution to refurbish the vinyl.

OCEAN RESCUE

Ocean Rescue shall at all times have the sole and absolute discretion to require Vendor to relocate and or remove any and all beach equipment that might directly or indirectly impede the performance of Ocean Rescue activities.

F. HURRICANE EVACUATION PLAN

Vendor agrees that all its storage facilities, beach equipment and any and all other items used in the concession operations will be removed from the beachfront immediately within twelve (12) hours of notification by the appropriate City authority and stored at an approved off-site location. A Detailed hurricane preparedness/evacuation plan, which shall include the location and proof of ownership and/or other form satisfactory to the City Administrator or designee of a proposed hurricane storage facility, **must be** provided in the response to the proposal section of this RFP.

G. EMPLOYEE QUALIFICATIONS AND APPEARANCE

During all hours of operations, Vendor shall maintain adequate on-duty personnel to comply with all terms and conditions of this contract. The Vendor shall employ workers to service this operation who are literate, neat, clean, well-groomed and courteous. In addition Vendor shall provide an experienced manager who shall be present at all times the concession is in operation. The manager shall oversee the daily operation and have the authority to take corrective action required to ensure complete and continuous compliance with the requirements and specifications of the contract.

III. Process

All interested vendors are requested to provide a detailed written proposal to provide the requested concession services to the City of Long Branch. The proposal must contain all of the following:

1. Completed Bid Offer Form.
2. Qualifications Questionnaire.
3. Non-Collusion Affidavit.
4. Stockholder Statement of Ownership.
5. Affirmative Action Statement and Evidence (Exhibits A & B).
6. Bid Security/Deposit.
7. Business Registration Certificate (BRC)

Please submit one original, one copy and one electronic copy (flash drive) of your proposal to City Clerk, Kathy Schmelz, City of Long Branch, 344 Broadway, Long Branch, NJ 07740, **no later than 11:00 AM (EST), Thursday, May 16, 2019.** Proposals shall be opened, read aloud and recorded at that time. Proposals must be received on or before that time in order to be considered. All applicants assume the risks associated with regular mail or other delivery modes. The City of Long Branch is not responsible for any proposals lost, wrongly addressed, misdirected or otherwise undeliverable.

Any questions about the requirements for submission may also be directed to Mr. David Spaulding, who may be reached at (732) 571-5655, or by e-mail at: dspaulding@longbranch.org.

IV. Criteria for Selection

The City intends to evaluate the proposals received based upon the criteria set forth below:

1. Pricing: (a) Payment to the City for the right to operate the concession; and (b) Admission/participation prices to be charged to the public.
2. Experience in the field and qualifications of the applicant.
3. Provisions covering maintenance of equipment and monitoring of usage.
4. Understanding of the overall needs of the City as presented in the proposed plan, including, but not limited to, equipment, management and staffing implementation schedule operational plan, proposed equipment, storage plan, marketing plan, hurricane plan, etc.

The City Evaluation committee as part of the evaluation process may conduct discussion (oral presentations) with the finalists for clarification purposes and possible re-score proposals before making a recommendation for award of contract.

The methodology by which the City shall award a contract shall be based upon an evaluation and ranking of each proposal submitted, according to the following criteria and weighting process:

Criteria	Weight
1. Pricing	25 %
2. Experience and qualifications	25 %
3. Maintenance	15 %
4. Understanding the overall needs of City	35 %

As a condition for entering into the contract with the City, the successful applicant shall provide proof of adequate insurance in amounts satisfactory to the City.

Applicants shall be required to provide a security deposit in the form of a certified or cashier's check in the amount of ten percent (10%) of the proposal, along with the applicant's proposal, which security deposit shall be returned to all unsuccessful applicants. Payment of the full contract price shall be as specified in the contract of sale to be executed by the successful applicant and the City.

The finalists from the pre-qualification screening may be invited to participate in oral presentations.

V. Conditions Governing Proposals

Only those firms that supply complete information and comply with all requirements set forth in this RFP will be considered. No incomplete proposals will be considered.

The City reserves the right to accept or reject any or all proposals, to waive or modify minor irregularities in proposals received (after notification and concurrence with the affected vendor), and to negotiate with any and all vendors submitting proposals meeting the requirements.

The City of Long Branch will not be responsible for any costs incurred in the preparation or submission of responses to this RFP.

By submitting a proposal, a vendor agrees that it will not make any claims for or have any right to damages because of any misinterpretation or lack of information.

All materials, proposals and contents submitted during the review process will become the property of the City of Long Branch except as may be mutually agreed upon for return by the parties hereto.

Please be advised that the prices charged to the General Public on the City of Long Branch beaches for Inflatable Waterslide must be comparable to other Public Beaches in Monmouth County.

BID OFFER FORM

Name of Vendor:

Address:

Telephone No.: ()

Fax No.: ()

E-Mail Address:

Services Offered by Vendor (attach additional sheets if necessary):

1. Pricing:

2. Experience and qualifications (attach Qualifications Questionnaire):

3. Rules, policies, maintenance:

4. Understanding needs of City

Bid Amount: \$ _____ **(2019) Minimum (\$20,000)**

Bid Amount: \$ _____ **(2020) Minimum (\$30,000)**

Negotiable _____ **(2021)**

(Amount(s) shall reflect the compensation to be paid to the City per year on April 1st for the right to operate the subject inflatable waterslide concession)

QUALIFICATIONS QUESTIONNAIRE

Please fill out this questionnaire and submit with your response.

1. Name of Vendor:

Location Address:

City: State: Zip:

Mailing Address: (if different):

City: State: Zip:

Telephone No.: () Fax No.: ()

E-Mail Address: Web Site Address:

Date Vendor's agency was formed or incorporated:

Ownership (list parent company and/or vendor subsidiaries and affiliates; if sole prop. or partnership, list name and home address of sole prop. or general partners):

Federal Tax Number:

NJ Tax Number:

2. Client List: (Use an additional sheet if needed)

<u>Client Name</u>	<u>Contact</u>	<u>Address</u>	<u>Client Since</u>
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3. Total Company Employees:

4. How long has your company been in business?

5. What relevant experience does your company have in coordinating or working with other agencies such as State and County tourism agencies, municipalities, chambers of commerce, economic development corporations, etc.?

6. Please list your fee schedule, i.e. the fees you will be charging the public for the concession.

7. Please detail the equipment you will be providing for the concession.

8. Please detail the safety equipment and procedures you have in place for supervising the activities related to the concession.

9. Provide a copy of any written rules and regulations posted in connection with the activities related to the concession.

This questionnaire was primarily prepared and reported by:

Name:

Title:

For additional information or questions, the City should contact

Name:

Title:

Telephone (Day):

Email:

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY)

SS:

COUNTY OF MONMOUTH)

I, _____, of the City of _____, in the State of New Jersey, being of full age and duly sworn according to law, on my oath state as follows:

I am a principal of the firm of _____, the bidder submitting the Bid Proposal for the provision of a beach umbrellas and chairs concession on public beaches in the City of Long Branch, and I have executed the Bid Proposal with full authority to do so. Further, the bidder has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action(s) in restraint of free, competitive bidding in connection with the above-named project. All statements contained in the Bid Proposal and in this affidavit are true and correct and made with full knowledge that the State of New Jersey and the City of Long Branch rely upon the truth of the statements contained in the affidavit and in said Bid Proposal in awarding the contract for said project.

Name of Firm or Individual

Title

Signature

Date

Subscribed and sworn before me on
This ____ day of _____.

Notary Public of

My commission expires _____

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

**Name of
Organization:** _____

**Organization
Address:** _____

Part I Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- For-Profit Corporation (any type) Limited Liability Company (LLC)
- Partnership Limited Partnership Limited Liability Partnership (LLP)
- Other (be specific): _____

Part II

- The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

- No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. Attach additional sheets if more space is needed.

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II other than for any publicly traded parent entities referenced above. The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. Attach additional sheets if more space is needed.

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the <name of contracting unit> is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with <type of contracting unit> to notify the <type of contracting unit> in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the <type of contracting unit> to declare any contract(s) resulting from this certification void and unenforceable.

<i>Full Name (Print):</i>		<i>Title:</i>	
<i>Signature:</i>		<i>Date:</i>	

EXHIBIT A

MANDATORY AFFIRMATIVE ACTION LANGUAGE P.L. 1975, c. 127 (N.J.A.C. 17:27)

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectational or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectational or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;

The contractor or subcontractor, where applicable, will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectational or sexual orientation;

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Officer pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, affectational or sexual orientation, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal Law and applicable Federal Court decisions.

The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading, and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, sex, affectational or sexual orientation, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal Law and applicable Federal Court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

WITNESS:

[Contractor]

DATED:

EXHIBIT B

**REQUIRED EVIDENCE
AFFIRMATIVE ACTION REGULATIONS
PUBLIC LAW 1975, c. 127 (N.J.A.C. 17:27)**

If awarded a contract, all procurement and service contractors will be required to comply with the requirements of P.L. 1975, c. 127, (N.J.A.C. 17:27). Prior to the date of the award, the contractor shall present one of the following:

1. *A letter from the U. S. Department of Labor that the contractor has an existing federally approved or sanctioned Affirmative Action Program.*
OR
2. *A Certificate of Employee Information Report Approval.*
OR
3. *If you do not have either of the above, check below:*

_____ Please send our company an Affirmative Action form for our completion (A.A. 302-Affirmative Action Employee Information Report)

The following questions must be answered by all contractors:

1. *Do you have a federally approved or sanctioned Affirmative Action Program?*
Yes _____ No _____
2. *Do you have a State Certificate of Employee Information Report Approval?*
Yes _____ No _____

You shall submit a photo static copy of such certificate.

The undersigned contractor certifies that he is aware of the commitment to comply with the requirements of P.L. 1975, c. 127 (N.J.A.C. 17:27) and agrees to furnish the required documentation pursuant to the law. The contractor must be rejected as non-responsible if the contractor fails to comply with the requirements of P.L. 1975, c. 127 (N.J.A.C. 17:27) within the time frame. The Affirmative Action Affidavit for vendors having less than fifty (50) employees is no longer acceptable, a New Jersey Certificate of Approval or A.A. 302 is required.

[Contractor]