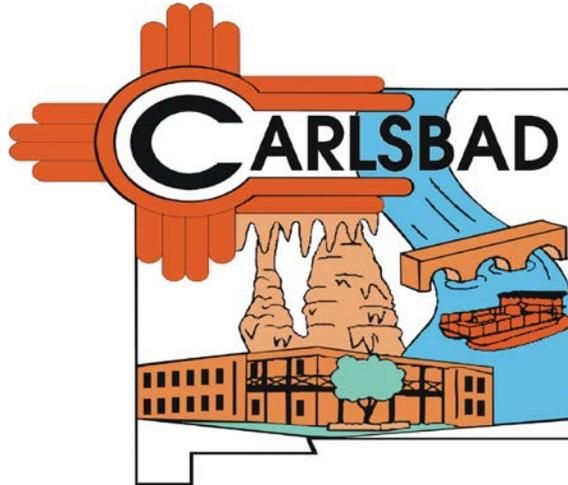


**REQUEST FOR PROPOSALS
FOR
CONCESSION SERVICES AT PORT JEFFERSON
RFP 2016-14**



**City of Carlsbad
P.O. Box 1569
101 N. Halagueno Street
Carlsbad, NM 88220**

Release Date: 5/17/16
Due Date: 5/31/16
Time: No Later Than 5:00 p.m. MDT

NOTICE OF REQUEST FOR PROPOSALS
RFP 2016-14
Concession Services at Port Jefferson

The City of Carlsbad will accept sealed proposals at the office of the Purchasing Manager, 101 N. Halagueno Street, Carlsbad, NM 88220 or P.O. Box 1569, Carlsbad, NM 88221-1569, Room 114 until 5:00 p.m., May 31, 2016 for Concession Services at Port Jefferson.

Request for Proposals may be obtained at the office of the Purchasing Manager noted above between 8:00 a.m. and 5:00 p.m., Monday through Friday, or maybe be obtained upon written or telephone request to the Purchasing Department at (575) 234-7905. The RFP document may also be obtained by visiting the City of Carlsbad website at the following link:

<http://www.cityofcarlsbadnm.com/purchasing.cfm>

The City of Carlsbad reserves the right to reject any or all proposals received and, in the case of ambiguity or lack of clarity, to determine the best proposal or to reject the same and waive technical irregularities and technicalities.

/s/ Matt Fletcher, CPO

Date: 5/17/16

CITY OF CARLSBAD
RFP 2016-14
CONCESSION SERVICES AT PORT JEFFERSON

GENERAL CONDITIONS:

1. Proposals must be received at the office of the Purchasing Manager on or before the date and time specified in the RFP. Late proposals will not be considered. The submittal date and time marked or stamped on the sealed envelope by the City of Carlsbad shall be conclusive evidence of the time and date of receipt.
2. Proposals must be clearly marked on the outside of the sealed envelope “RFP 2016-14 Concession Services at Port Jefferson”. Proposals shall be submitted to: Purchasing Manager, Municipal Building, 101 N. Halagueno, Room 114, Carlsbad, NM 88220 or P.O. Box 1569, Carlsbad, NM 88221-1569.
3. Please include the General Information Form (Appendix A) and the Campaign Contribution Form (Appendix B) with your proposal.
4. Please provide five (5) complete sets of your proposal.
5. Faxed or e-mailed proposals will not be accepted.
6. Proposals will be reviewed by a selection committee of not less than (3) three persons with a recommendation made to the governing body of the City of Carlsbad.
7. After the award of the RFP, a contract will be negotiated.
8. The State of New Mexico Procurement Code imposes civil and criminal penalties for its violation. In addition, the New Mexico Criminal Statutes impose felony penalties for illegal bribes, gratuities and kickbacks.
9. The City of Carlsbad reserves the right to accept or reject any or all proposals.

CITY OF CARLSBAD
RFP 2016-14
CONCESSION SERVICES AT PORT JEFFERSON

The City of Carlsbad is seeking to enter into a multi-year contract, renewable annually, not to exceed (4) four years for the services of a qualified business to provide Concession Services at Port Jefferson located at Lake Carlsbad. The contract period shall commence on July 1, 2016.

General

Lake Carlsbad is a recreation destination for both local residents and other visitors. The City of Carlsbad owns Port Jefferson, which consists of a concession building and covered patio, and cement and floating docks, located on the western shore of Lake Carlsbad and adjacent to the “Carlsbad Beach”. The general vicinity includes other City operated facilities including a swimming area, golf course, youth recreation center, bandshell, boat ramp, playgrounds, picnic tables, walking trails, bike trails, and restroom facilities.

Port Jefferson has historically been the headquarters for recreational/entertainment activities and food sales, and the City of Carlsbad is seeking proposals from qualified businesses who wish to provide similar services to the general public.

Services Sought

1. Food sales and rental of recreational equipment. Provision of additional services will be considered as proposed.
2. Proper licensing required for the operation of proposed services within the City of Carlsbad and State of New Mexico.
3. Timely maintenance of all equipment and leased property.
4. Provision of courteous service to all customers.
5. Insurance for equipment and services.
6. Detailed financial agreement with the City of Carlsbad.

Criteria

Proposals will be evaluated pursuant to the following criteria:

Proposed Services/Equipment	20 points
Qualifications	20 points
Proper Licenses	10 points
Successful Prior Experience	10 points
Insurance & Accountability	10 points
Ability to Meet Financial Terms	10 points
Rental Agreement Offer	20 points
TOTAL POINTS POSSIBLE	100 points

Proposal Form and Organization

Proposals shall be submitted on 8 ½ x 11 inch paper, typed on one side only. The total number of pages shall not exceed (15) pages, including any cover letter or cover sheet and required documents.

The proposal shall be submitted in the following format:

Tab 1 – Provide a detailed description of the proposed services and recreational equipment to be provided and the means for delivering these services. **(20 Points)**

Tab 2 – a) Describe in detail the qualifications that you or your company has that will contribute to the success of this contract and how the community of Carlsbad will benefit from the service to be provided. **(15 Points)**

b) Describe in detail your experience in providing repair and maintenance services to property / equipment in a timely manner. **(5 Points)**

Tab 3 – Demonstrate knowledge and provide copies, if available, of all necessary licenses and permits required to perform the services of this contract including but not limited to City Business License, New Mexico Environment Department Permit as required by the Food Service Sanitation Act and any other required certifications and permits. Knowledge and provision of the required licenses and permits is the sole responsibility of the contractor. **(10 Points)**

Tab 4 – Describe in detail any successful prior experience in providing a similar type of service. Document where and when the service was provided and who the service was provided for with contact information for each source. **(10 Points)**

Tab 5 – Provide necessary proof of the following required insurance coverage:

(10 Points)

- Public Liability Insurance of at minimum \$1,000,000.
- Fire and Casualty
- Workers Compensation

Tab 6 – Provide documentation to demonstrate ability to meet the financial terms and obligations of this contract. Most recent financial statements and/or bank statement will be acceptable. Other forms of documentation may be accepted at the discretion of the Procurement Manager. **(10 Points)**

Tab 7 - Property Rental Terms – Provide the amount of monthly rent you are willing to offer the City for the use of the Port Jefferson facility. **(20 Points)**

REQUIRED FORMS

The following forms are required to be included with the proposal:

- 1) General Information Form **(Appendix A)**
- 2) Campaign Contribution Form **(Appendix B)**
- 3) Rental Agreement Offer **(Appendix C)**
- 4) New Mexico Resident Business Certification **(If Applicable) See attached information regarding this preference**
- 5) New Mexico Veterans Business Certification **(If Applicable) See attached information regarding this preference.**

APPENDIX A

**CITY OF CARLSBAD
RFP 2016-14
CONCESSION SERVICES AT PORT JEFFERSON**

INFORMATION SHEET

A. General Information

1. Name of Offeror: _____
Address: _____
City _____ State _____

Telephone Number _____ Mobile Number _____
Fax Number _____
Email Address _____

2. Business Type: (Check One)

Individual/Sole Proprietorship

Name of Owner _____

Partnership

If a partnership, on a separate sheet of paper, list the names and addresses of all partners, share percentages, roles and date of partnership.

Corporation

If a corporation, on a separate sheet of paper, list state of incorporation, date of incorporation, names, titles and addresses of all principal officers, NM registered agent and address of home office.

3. Federal Tax ID number _____
4. State Tax ID number _____
5. City Business Registration Number _____

APPENDIX B

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence

the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official’s behalf for the purpose of electing the official to statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

“Pendency of the procurement process” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Prospective contractor” means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any:

Mayor Dale Janway
Councilman Nick Salcido
Councilman Wes Carter
Councilwoman Sandra Nunley
Councilman J.R. Doporto
Councilman Lisa Anaya Flores

Councilman Jason Shirley
Councilman Janell Whitlock
Councilman Dick Doss
Municipal Court Judge Janet Ellis

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By:

Relation to Prospective Contractor:

Date Contribution(s) Made:

Amount(s) of Contribution(s)

Nature of Contribution(s)

Purpose of Contribution(s)

(Attach extra pages if necessary)

Signature

Date

Title (position)

--OR-- (see following page)

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (Position)

APPENDIX C

RENTAL AGREEMENT OFFER

I, _____ if selected to provide the services outlined in
Name of Contractor (Please Print)

this Request for Proposal, agree to pay the City of Carlsbad the following amount for rental of the Port Jefferson facility:

Monthly Rental Amount \$ _____

As compensation for this agreement the contractor named in this document agrees to the following payment terms:

- Rent will be due, in full, on or before the first business day of each month.
- All rental payments shall be due and payable in advance without notice.
- Rent shall be paid to: City of Carlsbad, P.O. Box 1569, Carlsbad, NM 88221 and sent to the attention of the Finance Director.
- Rental payments made ten (10) or more days after the payment due date shall include a late fee in the amount of ten (10%) of the rental amount.

The offer provided, if accepted, and the conditions stated above, will be incorporated into the final contract agreement.

x _____ Date: _____
Signature of Contractor

New Mexico Resident Business Preference

The State of New Mexico Procurement Code mandates a New Mexico Resident Business Preference on all bids and request for proposals (RFP).

Qualified resident businesses will be given a 5% preference on all bids. When bids are evaluated, New Mexico Businesses registered with the Department of Taxation and Revenue, will have its bid reduced by a factor of 5%.

Qualified resident businesses will be given a 5% preference on all RFP's. When proposals are evaluated, New Mexico resident businesses that are registered with the Department of Taxation and Revenue, will receive an additional points equivalent to 5% of the total points possible for award.

As of October 5, 2011, applications for in-state preference will no longer be processed through the State Purchasing Division. All resident businesses, veterans and contractors will have to obtain a preference number with the NM Department of Taxation & Revenue.

For additional information please call 505-827-0951.

Resident Veterans Preference Certification

_____ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans’ preference to this procurement:

Please check one box only

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$5M allowing me the 7% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

“I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 and ending on December 31, the following to be true and accurate: “In conjunction with this procurement and the requirements of this business’ application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections 13-1-21 or 13-1-22 NMSA 1978, when awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be. “I understand that knowingly giving false or misleading information on this report constitutes a crime.”

I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime.

(Signature of Business Representative)* (Date)

*Must be an authorized signatory for the Business

The representations made in the boxes constitutes a material representation by the business that is subject to protest and may result in denial of an award or unaward of the procurement involved if the statements are proven to be incorrect.