

CITY OF PERRY, IOWA
Request for Proposals
for
Concession Operator Services at Caboose Park
Spring, 2023

Section 1. Introduction and Background

The City of Perry, Iowa (the “City”) is soliciting proposals in order to identify individuals and/or businesses qualified to operate and manage the concession stand located at Caboose Park. This Request For Proposals (“RFP”) is designed for those interested in entering into a definitive agreement with the City to license the City-owned concession stand facility located in Caboose Park and to operate the same at designated dates and times. The selected concessionaire will be required to operate the concession stand according to the terms and conditions as outlined in this RFP and the definitive agreement with the City.

The City expects the selected concessionaire to be responsible for: (a) developing a menu; (b) ordering, stocking, and preparing the food and other supplies used in the operation of the concession stand; (c) hiring, training, scheduling, and compensating the personnel necessary for efficient operation of the concession stand; (d) managing all financial activities related to the concession stand, including handling funds, paying vendors, depositing money into bank accounts, and ensuring proper change is available on hand at all times; (e) employing appropriate personnel to ensure wait times for concession stand customers do not exceed five minutes; (f) purchasing or leasing any equipment necessary for operation of the concession stand; (g) immediately notifying the City of any building maintenance necessary to keep the building in a safe condition; (h) thoroughly cleaning the concession area and equipment at the end of each day of concession operations; (i) obtaining and holding in good standing all relevant licenses and permits necessary for operation of the concession stand; and (j) obtaining insurance with coverage amounts acceptable to the City and providing proof of same to the City.

The definitive agreement between the City and the selected concessionaire will be for an initial term of two (2) years with the expectation of operations of the concession stand from May 1st through October 31st of each year, weather permitting. A rent payment of \$180 per operating month will be due at the first of each month, with a minimum of six months’ rent or \$1080 per calendar year. The City will remain responsible for cleaning all areas of Caboose Park not designated for operation of the concession stand. The City will allow the concession operator to use the existing equipment but the City will not replace or repair any of the existing equipment. The selected concessionaire may, at the concessionaire’s sole cost, elect to have the existing equipment repaired in the event such repair becomes necessary.

Section 2. Key Dates for this RFP

December 19, 2022 RFP Issued
January 23, 2023 Proposals due by 4:30PM
Week of January 23, 2023 Committee Review
February 6, 2023 City Council Approval
February 6, 2023 Award to Successful Proposer for Spring of 2023

Section 3. RFP Instructions

1. The City may cancel this RFP in whole or in part or may reject all proposals submitted. The City reserves the right to procure only some of the requested services outlined in this RFP.
2. The City may request that supplementary information be furnished to assure that the proposer has the business acumen, competence, experience, and financial resources to successfully perform the concession operator services.
3. All proposals must be presented in an organized and clear manner.

4. Each proposal shall be signed by the individual proposer or the President or other duly authorized officer of the company submitting the proposal and notarized. Each proposal shall affirmatively state that the signor has the authority to bind the proposer for any and all proposed services contained in the proposal.
5. Proposals must contain the name, address, e-mail address, and phone number of the contact person of the proposer.
6. All costs involved in preparing the proposal will be borne by the proposer.
7. Proposals which are deemed incomplete, conditional, or obscure will be rejected. The City's decision or judgment on these matters shall be final, conclusive, and binding. The City will not contact proposers with deficient proposals to ask for additional information or clarification.
8. Two (2) copies of the proposal must be delivered to Perry City Hall, 1102 Willis Ave, STE 300 PO Box 545 Perry, Iowa 50220, no later than 4:30 P.M., Monday, January 23rd, 2023.
9. Any proposal received after 4:30 P.M. on January 23, 2023, shall be determined unresponsive and returned unopened to the proposer.
10. Evaluation of the proposals will be conducted by the Committee using the evaluation criteria set forth in Section 5 below.
11. This RFP, as well as the selected concessionaire's proposal, will become part of the definitive agreement to be negotiated between the City and the selected concessionaire.
12. Proposers with questions about the concession operator services or with specific questions about this RFP should contact:

John Anderson, Parks and Recreation Director
1102 Willis Ave, Suite 300, Perry, Iowa 50220
Phone: (515) 465-2481
Email: john.anderson@perryia.org

Section 4. Proposal Requirements

Concession operations are a key component to the overall character of Caboose Park. The selected concessionaire will be required to satisfy certain conditions and obligations as a part of the concession operations. Proposers shall complete the *Proposer Questionnaire for Request for Proposals for Concession Operator Services at Caboose Park* attached hereto as Exhibit A and submit the same to the City.

In addition to completing and submitting Exhibit A, please also provide the following with any proposal:

1. A sample menu including all items/products and pricing. Please note that all menu items and pricing must be submitted to the City for approval prior to any product sales.
2. A description of the staffing proposer intends to utilize for providing the concession operator services. Please note that any modification in the selected concessionaire's staffing as outlined in a proposal will be subject to the approval of the City.

Section 5. Proposal Evaluation

The City reserves the right to accept or reject any or all proposals and may select, and negotiate with one or more proposers concurrently should multiple proposers be deemed equal, and enter into a contract with such proposer who is determined, by the City, to provide the concession operator services which are in the best interest of the City. The City may agree to such terms and conditions as it may determine to be in its best interest.

Proposals will be evaluated by a committee made up of City Staff and Elected/Appointed Officials. The Committee reserves the right to request additional information from proposers, to negotiate terms and conditions of the definitive agreement, request oral presentations, or ask proposers to appear before the City Council to clarify points of their proposal.

All proposals that meet all of the minimum requirements as outlined in this RFP and are determined to be both responsive (i.e., those that offer all of the services requested in the RFP and contain all of the required information)

and those that are responsible (i.e., those with the capability, integrity, and reliability to perform under a definitive agreement) will be further reviewed using the process described below.

City Staff will use a ten (10) point rating scale for each of the **six (6)** evaluation criteria listed below, with a score of one (1) being low and a score of ten (10) being high. The Proposal generating the largest total score will be determined to be the most responsive and will be recommended for award.

The City reserves the right to award the proposer with the most responsive and responsible proposal which best meets the City's needs. The proposer's menu and pricing described in the proposal, while important, will not be the sole criteria for determining the proposal that best fits the City's needs at Caboose Park.

Proposals must exhibit the proposer's proficiency and experience in the following areas;

1. Experience with concession operations or related services (e.g., catering, vending, small business, etc.);
2. Financial strength;
3. Quality of the proposed menu and inventory practicality;
4. Staffing proposal;
5. Cost and ability to offer variety of snacks across a range of price levels; and
6. Compliance with required submittal items described in this RFP.

Exhibit A
Proposer Questionnaire for
Request for Proposals for
Concession Operator Services at Caboose Park

1. Proposer's full legal name: _____
 - a. Address: _____
 - b. Telephone: _____
 - c. E-mail: _____
2. All other names under which proposer has operated in the past five (5) years:
 - a. _____
 - b. _____
3. On a separate sheet, identify and provide a brief biography of each principal and key staff member of proposer including relevant experience on related projects.
4. On a separate sheet, list all concession or related projects that proposer has in progress.
5. On a separate sheet, list all concession or related projects proposer has completed in the past five (5) years.
6. Within the past five (5) years, has proposer defaulted on a contract, or been disqualified, removed, or otherwise terminated from a concession services contract? _____
 - a. If "yes", on a separate sheet, please explain circumstances in detail.
7. **[Has proposer ever been unable to obtain a bond or been denied a bond? _____**
 - a. **If "yes", on a separate sheet, please provide all relevant details.]**
8. **[On a separate sheet, list all surety/bonding companies proposer has utilized in the past five (5) years.]**
9. Has proposer ever declared bankruptcy or been in receivership? _____
 - a. If "yes", on a separate sheet, please provide all relevant details.

10. Is proposer currently being investigated for or has proposer previously been found to have violated in the past five (5) years any of the following state or federal laws: Iowa Minimum Wage Act; Iowa Non-English Speaking Employees Act; Iowa Child Labor Act; Iowa Labor Commissioner's Right to Inspect Premises, Iowa Compensation Insurance Act; Iowa Employment Security Act; Iowa Competition Act; Iowa Income, Corporate and Sales Tax Code; a "willful" violation of the Iowa or Federal Occupational Safety and Health Act; Iowa Employee Registration Requirements; Iowa Hazardous Chemical Risks Act; Iowa Wage Payment Collection Act; Federal Income and Corporate Tax Code; The National Insurance and Social Security Act; or The Fair Labor Standards Act? _____
 - a. If "yes", on a separate sheet, provide all relevant details.
11. Has proposer ever failed to complete any work or project awarded to it? _____
12. If "yes", on a separate sheet, provide all relevant details.
13. Are there any judgments, arbitration proceedings, or suits pending or outstanding against proposer or its principals that relate to, arise out of, or are in the course of proposer's business? _____
14. If "yes", on a separate sheet, provide all relevant details.
15. Has proposer filed any lawsuit or demanded arbitration with regard to any concession services contract within the past five (5) years? _____
 - a. If "yes", on a separate sheet, provide all relevant details.
16. Has proposer been found by a court or agency of competent jurisdiction to be delinquent in meeting its obligations under local, state or federal tax laws, within the last five (5) years ("delinquent" shall include, but is not limited to: failure to file, failure to pay, or imposition of tax liens)? _____
17. If "yes", on a separate sheet, provide all relevant details.
18. Proposer affirms that it will not utilize subcontractors to perform the concession services.
19. Proposer attests that it will: (a) comply with Iowa's Minimum Wage Law; (b) maintain workers' compensation insurance or be qualified as a self-insurer; and (c) provide proof of insurance or ability to self-insure upon request.
20. Provide the name, address, e-mail address, and phone number for three (3) references that can attest to the proposer's experience in successfully operating and managing a concession stand or related business.
21. Provide proposer's Federal ID Number: _____
22. Provide name and address of proposer's Registered Agent: _____

[Signature page follows.]

I hereby certify, that (1) all of the information provided by me in this RFP response is true and correct to the best of my knowledge; (2) that I am authorized to sign this RFP response on behalf of the proposer; (3) if any of the information I have provided herein becomes inaccurate, prior to execution of any definitive agreement, I will immediately provide the City with updated accurate information in writing; and (4) I hereby authorize any person or entity named herein to provide the City with whatever information might be required to verify this RFP response.

Name of Business

By: _____
Signature

Name: _____
Print name

Its: _____
Title

Date: _____