



REQUEST FOR PROPOSAL

FOR

**OFFICIAL BEVERAGE SPONSOR
FOR THE CITY OF HUNTINGTON BEACH**

Community Services Department
CITY OF HUNTINGTON BEACH



Released on 09/22/08

Partnership Agreement for Beverage Sponsor
REQUEST FOR PROPOSAL (“RFP”)

1. BACKGROUND

Huntington Beach is a charter city administered by a City Council/Administrator form of government encompassing an area of 28 square miles with a population of over 196,000. The total annual City budget is approximately \$330 million for Fiscal Year 2007/2008 with the General Fund portion of the budget totaling approximately \$188 million. Over ten million beach visitors enjoyed the shoreline in 2007.

The City of Huntington Beach is currently requesting proposals from qualified beverage sponsors who are interested in being considered for a long-term partnership agreement with the City of Huntington Beach.

2. SCHEDULE OF EVENTS

This request for proposal will be governed by the following schedule:

Release of RFP	09/22/08
Deadline for Written Questions	10/08/08
Responses to Questions Posted on Web	10/22/08
Proposals are Due	11/17/08
Proposal Evaluation Completed (tentative)	12/17/08
Approval of Contract (tentative)	02/17/08

3. SCOPE OF WORK

A. The selected firm will:

- Enjoy exclusivity rights to points of sale and provisions for exclusive vending locations on City property
- Have the right to use the official Huntington Beach City logo, the Huntington Beach Centennial logo, and the City’s “Surf City” trademarks.
- Have the ability to market themselves as the official beverage sponsor of the City of Huntington Beach
- Have an opportunity to have an old time or classic company vehicle in the City’s annual 4th of July Parade

- Have the opportunity to install, at city parks, basketball backboards, benches, trash receptacles, etc. with the beverage logo.

B. City will:

- Make its best effort to provide the selected firm with the following points of sale:
 - o Approximately 50 vending machines on public land (beaches, parks, etc.) at mutually agreed upon locations
Including: Beach, Community Centers, libraries, city offices, maintenance facilities
 - o Beach concessions and park and recreation concessions
- Provide the selected firm with permits necessary to conduct approved sampling and promotional activities at Pier Plaza for up to one weekend per month on pre-approved mutually agreed upon dates
- Make its best effort to change verbiage in its current standard beach and parks concession agreements (which currently specify Coca Cola products to be used) to be changed to reflect the city's new beverage sponsor
- Make its best effort to designate in all future city concessionaire agreements and amendments to all current concessionaire agreements for exclusive use of the city's official beverage sponsor for vending and fountain beverages.

C. The selected firm will provide an annual consideration fee to the City. Proposed fee is to be submitted as part of this proposal.

4. PROPOSAL FORMAT GUIDELINES

Interested contractors are to provide the City of Huntington Beach with a thorough proposal using the following guidelines:

Proposal should be typed and should contain no more than 20 typed pages using a 12-point font size, including transmittal letter and resumes of key people, but excluding Index/Table of Contents, Sponsor Application Form, tables, charts, and graphic exhibits. Each proposal will adhere to the following order and content of sections. Proposal should be straightforward, concise and provide "layman" explanations of technical terms that are used. Emphasis should be concentrated on conforming to the RFP instructions, responding to the RFP requirements, and on providing a complete and clear description of the offer. Proposals, which appear unrealistic in the terms of technical commitments, lack of technical competence or are indicative of failure to comprehend the complexity and risk of this contract may be rejected. The following proposal sections are to be included in the bidder's response:

A. Sponsor Application Form and Cover Letter

Complete Appendix A, "Request for Proposal-Sponsor Application Form" and attach this form to the cover letter. A cover letter, not to exceed three pages in length, should summarize key elements of the proposal. An individual authorized to bind the contractor must sign the letter. Indicate the address and telephone number of the contractor's office located nearest to Huntington Beach, California, and the office from which the project will be managed.

B. Definitive Statement of Proposed Concept of Operations

A detailed statement by the sponsor of the type and quantity of product to be supplied and other joint opportunities they may wish to participate in with the City (events, other products, etc.).

C. Background and Project Summary Section

The Background and Project Summary Section should describe your understanding of the City, the scope of work, and the objectives to be accomplished. Refer to Scope of Work of this RFP.

D. Fee Proposal

This proposal shall include a statement indicating "There shall be no cost to the City of Huntington Beach."

E. Qualifications

The information requested in this section should describe the qualifications of the contractor. Information shall include:

- 1) A summary of your company's demonstrated capability, including length of time that your company has provided the services being requested in this Request for Proposal.
- 2) Provide references that have received similar sponsorship from your company. The City of Huntington Beach reserves the right to contact any of the organizations or individuals listed. Information provided shall include:
 - ◆ Client Name
 - ◆ Sponsorship start and end dates
 - ◆ Client project manager's name, telephone number, and e-mail address

5. **PROCESS FOR SUBMITTING PROPOSALS**

◆ **Content of Proposal**

The proposal must be submitted using the format as indicated in the proposal format guidelines.

◆ **Preparation of Proposal**

Each proposal shall be prepared simply and economically, avoiding the use of elaborate promotional material beyond those sufficient to provide a complete, accurate and reliable presentation.

◆ **Number of Proposals**

Submit five (5) copies of your proposal in sufficient detail to allow for thorough evaluation and comparative analysis.

◆ **Submission of Proposals**

Complete written proposals must be submitted in sealed envelopes to:

City of Huntington Beach
Finance Department – Purchasing
Attention: Janet Lockhart, Senior Administrative Analyst
2000 Main Street
Huntington Beach, CA 92648-2702
RE: Beverage Sponsor

and received no later than 4:00 p.m. (P.S.T) on 11/17/08. Proposals will not be accepted after this deadline. Faxed or e-mailed proposals will not be accepted.

◆ **Inquiries**

Questions about this RFP must be directed in writing, via e-mail to:

Janet Lockhart
jlockhart@surfcity-hb.org

From the date that this RFP is issued until a bidder is selected and the selection is announced, bidders are not allowed to communicate for any reason with any City employee other than the contracting officer listed above regarding this RFP, except during the pre-proposal conference, if any. Refer to the Schedule of Events of this RFP or the City webpage to determine if a pre-proposal conference has been scheduled. The City reserves the right to reject any proposal for violation of this provision. No questions other than written will be accepted and no response other than written will be binding upon the City.

◆ **Conditions for Proposal Acceptance**

This RFP does not commit the City to award a contract or to pay any costs incurred for any services. The City, at its sole discretion, reserves the right to accept or reject any or all proposals received as a result of this RFP, to negotiate with any qualified source, or to cancel this RFP in part or in its entirety. All proposals will become the property of the City of Huntington Beach, USA. If any proprietary information is contained in the proposal, it should be clearly identified.

6. EVALUATION CRITERIA

The City of Huntington Beach may use some or all of the following criteria in its evaluation and comparison of proposals submitted. The criteria listed are not necessarily an all-inclusive list. The order in which they appear is not intended to indicate their relative importance:

- A. Compliance with RFP requirements
- B. Understanding of the project
- C. Recent experience in conducting similar scope of work for other public agencies
- D. Work experience and directly related experiences
- F. References

The City may also contact and evaluate the bidder's and any subcontractor's references; contact any bidder to clarify any response; contact any current users of a bidder's services; solicit information from any available source concerning any aspect of a proposal; and seek and review any other information deemed pertinent to the evaluation process. The evaluation committee shall not be obligated to accept a proposal based upon price, but shall make an award in the best interests of the City.

After written proposals have been reviewed, discussions with prospective contractors may or may not be required. If scheduled, the oral interview will be a question/answer format for the purpose of clarifying the intent of any portions of the proposal. The individual from your company that will be directly responsible for carrying out the contract, if awarded, should be present at the oral interview.

A Notification of Intent to Award may be sent to the sponsor selected. Award is contingent upon the successful negotiation of final contract terms. Negotiations shall be confidential and not subject to disclosure to competing sponsors unless an agreement is reached. If contract negotiations cannot be concluded successfully, the City may negotiate a contract with the next highest scoring sponsor or withdraw the RFP. Final approval of a negotiated agreement is made by Huntington Beach City Council at a public meeting.

7. STANDARD TERMS AND CONDITIONS

- ◆ Amendments

The City reserves the right to amend this RFP prior to the proposal due date. All amendments and additional information will be posted to the Huntington Beach Procurement Registry, [Huntington Beach - Official City Web Site - Business - Bids & RFP's](#); bidders should check this web page daily for new information.

- ◆ Cost for Preparing Proposal

The cost for developing the proposal is the sole responsibility of the bidder. All proposals submitted become the property of the City.

- ◆ Contract Discussions

Prior to award, the apparent successful firm may be required to enter into discussions with the City to discuss and resolve contractual elements. Any differences within contract negotiations are to be finalized and all exceptions resolved within a mutually agreed-upon reasonable time period from notification of final contract. If no resolution is reached, the proposal may be rejected and discussions will be initiated with the second highest scoring firm.

- ◆ Confidentiality Requirements

The staff members assigned to this project may be required to sign a departmental non-disclosure statement. Proposals are subject to the California Public Records Act. The City cannot protect proprietary data submitted in proposals.

- ◆ Financial Information

The City is concerned about bidders' financial capability to perform, therefore, may ask you to provide sufficient data to allow for an evaluation of your firm's financial capabilities.

- ◆ Insurance Requirements

City Resolution 2007-3 requires that licensees, lessees, and sponsors have an **approved** Certificate of Insurance (not a declaration or policy) on file with the City for the issuance of a permit or contract. Within ten (10) consecutive calendar days of award of contract, successful bidder must furnish the City with the Certificates of Insurance proving coverage as specified in Appendix B. Failure to furnish the required certificates within the time allowed will result in forfeiture of the Proposal Security.

Appendix A
Beverage Sponsor
REQUEST FOR PROPOSAL
SPONSOR APPLICATION FORM

Type of Applicant: ☐ NEW ☐ CURRENT SPONSOR

Legal Contractual Name of Corporation: _____

Name of Contact for this RFP: _____

Corporate Mailing Address: _____

City, State and Zip Code: _____

E-Mail Address: _____

Phone: _____

Fax: _____

Contact Person for Proposals: _____

Title: _____

E-Mail Address: _____

Business Telephone: _____

Business Fax: _____

Is your business: (check one)

☐ NON PROFIT CORPORATION

☐ FOR PROFIT CORPORATION

Is your business: (check one)

☐ CORPORATION

☐ INDIVIDUAL

☐ PARTNERSHIP

☐ LIMITED LIABILITY PARTNERSHIP

☐ SOLE PROPRIETORSHIP

☐ UNINCORPORATED ASSOCIATION

Names & Titles of Corporate Board Members

(Also list Names & Titles of persons with written authorization/resolution to sign contracts)

Name	Title	Phone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Federal Tax Identification Number: _____

City of Huntington Beach Business License Number: _____

(If none, you must obtain a Huntington Beach Business License upon execution of contract.)

City of Huntington Beach Business License Expiration Date: _____



CITY OF HUNTINGTON BEACH
2000 MAIN STREET CALIFORNIA 92648
COMMUNITY SERVICES DEPARTMENT
(714) 536-5486

APPENDIX B

Resolution No. 2007-3

INSURANCE REQUIREMENTS FOR CONTRACTORS, AND PERMITTEES

PLEASE GIVE THESE INSURANCE REQUIREMENTS TO YOUR INSURANCE AGENT

Minimum Limits of Insurance

City Council Resolution 2007-3 requires submittal of certificates of insurance evidencing the following minimum limits with a California admitted carrier with a current A.M. Best's Rating of no less than A:VII:

1. General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit. "Claims made" designation is only acceptable for professional or pollution liability insurance.

The City of Huntington Beach, its officers, elected or appointed officials, employees, agents and volunteers must be named as certificate holder and as additional insured by separate attached endorsement. (This wording must be exact.)

2. Workers' Compensation and Employer's Liability: State statutory limits of \$250,000 bodily injury by disease, policy limit, and \$100,000 bodily injury each employee for accident or disease per occurrence. If you have no employees, you must sign a Declaration of Non-employee Status form available from the City. In lieu of a certificate of insurance, a certificate of consent to self-insure issued by the California Director of Industrial Relations is also acceptable.
3. Automobile liability of \$1,000,000 per occurrence for bodily injury, personal injury and property damages. The City of Huntington Beach, its officers, elected or appointed officials, employees, agents and volunteers must be named as certificate holder and as additional insured by separate attached endorsement. (This wording must be exact).

Deductibles, Self-Insured Retentions, or Similar Forms of Coverage Limitations or Modifications

Any deductibles, self-insured retentions or similar forms of coverage limitations or modifications, must be declared to and approved by the City of Huntington Beach.

Subcontractors

Contractor shall include all subcontractors as insured under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

Description of Work to be Performed

The staff contact and purpose of the evidence of coverage must be identified.