

DEPARTMENTAL INPUT
CONTRACT/PROJECT MEASURE ANALYSIS AND RECOMMENDATION

Rev 1

New contract
 OTR
 CO
 SS
 BW
 Emergency
 Previous Contract/Project No:

Re-Bid
 Other
 LIVING WAGE APPLIES: ___ YES ___ X NO

Requisition/Project No: RQPR1400011/ AVCW1400210 **TERM OF CONTRACT:** 10 years
Requisition/Project Title: Concession Services & Related Activities (Pre-Qual.)

Description: This Request to Qualify (RTQ) will establish a pool of pre-qualified Bidders capable of providing concession services and related activities for Miami-Dade Parks, Recreation and Open Spaces Department (PROS).

User Department(s): PROS
 Issuing Department: ISD-PMS Contact Person: Martha Perez Phone: 305-375-5375
 Estimated Cost: \$1.00 (revenue generating) Funding Source: N/A (revenue generating)

ANALYSIS

Commodity/Service No: <u>906-72</u> SIC: _____			
Trade/Commodity/Service Opportunities			
Contract/Project History of Previous Purchases For Previous Three (3) Years Check Here <input type="checkbox"/> if this is a New Contract/Purchase with no Previous History			
	EXISTING	2ND YEAR	3RD YEAR
Contractor:	Over 100 vendors currently awarded under contract BW8970-4/14-4		
Small Business Enterprise:			
Contract Value:			
Comments:			
Continued on another page (s): ___ Yes ___ X No			

RECOMMENDATIONS

SBE	Set-Aside	Sub-Contractor Goal	Bid Preference	Selection Factor
		%		
		%		
		%		
		%		

Basis of Recommendation:

RECEIVED
 DEPT. BUSINESS DEV.
 2014 MAY 20 PM 5:40

Signed: Martha Perez

Date to DBD: 05/20/14

SECTION 2 – SPECIAL TERMS AND CONDITIONS

2.1 PURPOSE

This Request to Qualify (RTQ) will establish a pool of pre-qualified Bidders capable of providing concession services and related activities for Miami-Dade Parks, Recreation and Open Spaces Department (PROS). Entry into the pre-qualification pool is not a contract between Miami-Dade County and any member of the pool, but rather is an acknowledgement that the pool member satisfies the pre-qualification criteria set forth below for membership in the pool. Pre-qualified Bidders will be invited to participate in future spot market competitions. The pool shall remain open for the term of the pool, enabling Bidders to qualify at any time after the initial RTQ opening date.

2.2 TERM: TEN YEARS

The pre-qualification pool will begin on the first calendar day of the month succeeding approval by the Board of County Commissioners, or designee, unless otherwise stipulated in the Notice of Award Letter which is distributed by the County's Internal Services Department, Procurement Management Services Division, and contingent upon the completion and submittal of all required RFQ documents. The pre-qualification pool shall expire on the last day of the last month of the one hundred and twentieth months.

2.3 METHOD OF AWARD: PRE-QUALIFICATION OF BIDDERS

Bidders shall submit all of the qualifying documents with their submittal form. However, the County may, at its sole discretion and in its best interests, allow Bidders to supplement submitted documents in order to satisfy the prequalification criteria. It shall be the sole prerogative of the County to determine the number of Bidders who will be included under the pre-qualification pool. During the term of the pool, the County reserves the right to add and/or delete pre-qualified Bidders. If the County elects to add Bidders, they must meet the same minimum qualifications established herein.

Bidder(s) must demonstrate to the County, their knowledge and experience in the various types of recreational activities, concession operations, and related activities; knowledge of the legal requirements that are involved in these types of operations; and the financial strength to conduct the agreed upon services.

2.3.1 The minimum qualifications are as follows:

- A. Bidder shall be regularly engaged in the business of providing the services stipulated herein and must have experience in a minimum of one type of recreational activity, concession operation, or related activity. Bidder must provide verifiable references from commercial or government customers for which the Bidder has provided the required services.

References provided must include:

- 1) Company or governmental entity name
- 2) Contact person
- 3) Phone number
- 4) Length of time services where provided

- 5) Description of activity, concession operation and/ or related activity provided
- B. Bidder must provide a list of concession operation (s), recreational or related activities being offered to the County. Refer to Section 3, Subsection 3.2 for a description of the required services.
 - C. Bidder must provide a list of staff that will be performing required services. Bidder must also provide proof of ability to legally work in the United States for each employee listed. Proof may be in the form of a voter's registration, immigration card, I-9 Form or other verifiable document.
 - D. Bidder must have designated staff as a point of contact assigned to the County. Bidder must provide the name of designated staff, title, phone number and email address, to expedite quotes.

2.3.2 Spot Market Quotation Procedures:

The County will solicit spot market quotations from pre-qualified Bidders, on an as needed when needed basis. Prequalified bidders will be contacted based on the recreational activity, concession operation, or related activity offered in their solicitation.

Award of spot market purchase will be made to the pre-qualified Bidder offering the highest revenue to the County for the concession operation and related services, or as specified in the spot market quotation solicitation. All requests for quotation will be sent to the pre-qualified Bidders via email. Pre-qualified bidders must submit their quotation in writing; no verbal responses will be accepted.

Each spot market quotation request will include the following, as applicable:

- A. Anticipated method of award (highest revenue to the County). Alternate methods of award will be stipulated on the spot market quotation request.
- B. Facility name, address, and dimensions
- C. Type of recreational activity or concession operation
- D. Date recreational activity or concession operation starts
- E. Quotation submittal due date
- F. Additional requirements or special instruction (permits, insurance, business tax receipts, licenses, etc.)
- G. Issuing department's contact person's name, telephone number, fax number and e-mail address
- H. Detailed specifications pertaining to individual solicitation/ event
- I. Section for pricing information offered by the Bidder to customers or participants

J. Term of spot market purchase (length of time services/ concessions are required)

K. Date, time and location of site visit, if required

Quotes may be required for the same type of concession operation or services at different facilities. In this instance, the prequalified bidders may quote on all locations. When a bidder does not have the staff to support multiple sites, the County reserves the right to award the spot market quote to the bidder who offers the highest revenue returned to the County, and who has the staff necessary to support the required services.

Note: Verification of additional requirements to perform required work will be conducted prior to award of spot market purchase. It is anticipated that PROS will issue a spot market purchase for up to a specific timeframe/term.

2.4 INSURANCE

The following supersedes the insurance coverage listed in Section 1, Paragraph 1.21:

- A. Worker's Compensation Insurance for all employees of the Contractor as required by Florida Statute 440.
- B. Commercial General Liability Insurance on a comprehensive basis in an amount not less than \$1,000,000 combined single limit per occurrence for bodily injury and property damage. Policy must include coverage for products and completed operations. **Miami-Dade County must be shown as an additional insured with respect to this coverage.**
- C. Automobile Liability Insurance covering all owned, non-owned and hired vehicles used in connection with the work, in an amount not less than \$500,000 combined single limit per occurrence for bodily injury and property damage.

Additional or revised insurance requirements may be necessary when performing work in certain County facilities that limit or restrict access. Any change or addition in insurance requirements will be detailed in the RFQ.

Miami-Dade County Parks, Recreation and Open Spaces Department is responsible for requesting insurance requirements from selected Bidders; and submitting documents to Risk Management for review and approval. No event shall commence without written approval of the insurance from Risk Management.

2.5 AVAILABILITY OF CONTRACT TO OTHER COUNTY DEPARTMENTS

Although this Solicitation is specific to a County Department, it is hereby agreed and understood that any County department or agency may avail itself of this contract and purchase any and all items specified herein from the awarded Bidder(s) at the contract price(s) established herein. Under these circumstances, a separate purchase order shall be issued by the County, which identifies the requirements of the additional County department(s) or agency(ies).

2.7 COMPLIANCE WITH FEDERAL STANDARDS

All services to be purchased under this contract shall be in accordance with all governmental standards, to include, but not be limited to, those issued by the Occupational Safety and Health Administration (OSHA), the National Institute of Occupational Safety Hazards (NIOSH), and the National Fire Protection Association (NFPA).

2.8 DEFICIENCIES IN WORK TO BE CORRECTED BY THE BIDDER

The awarded Bidder shall promptly correct all apparent and latent deficiencies and/or defects in work, and/or any work that fails to conform to the contract documents regardless of project completion status. All corrections shall be made within 5 calendar days after such rejected defects, deficiencies, and/or non-conformances are verbally reported to the awarded Bidder by the County's project administrator, who may confirm all such verbal reports in writing. The awarded Bidder shall bear all costs of correcting such rejected work. If the awarded Bidder fails to correct the work within the period specified, the County may, at its discretion, notify the awarded Bidder, in writing, that the awarded Bidder is subject to contractual default provisions if the corrections are not completed to the satisfaction of the County within 5 calendar days of receipt of the notice. If the awarded Bidder fails to correct the work within the period specified in the notice, the County shall place the awarded Bidder in default, obtain the services of another Bidder to correct the deficiencies, and charge the awarded Bidder for these costs, either through a deduction from the final payment owed to the awarded Bidder or through invoicing. If the awarded Bidder fails to honor this invoice or credit memo, the County may terminate the contract for default.

2.9 NOTIFICATION PRIOR TO COMMENCEMENT OF WORK SHALL BE FOURTEEN (14) DAYS

Unless stipulated in the spot market quotation, the County will give a minimum lead time of fourteen (14) calendar days to the Bidder prior to the desired starting date for any specific assignment; provided however, that such notification shall be superseded by any emergency work that may be required in accordance with provisions included the spot market quotation request.

SECTION 3 – TECHNICAL SPECIFICATIONS**3.1 SCOPE OF WORK**

The Miami-Dade Parks, Recreation and Open Spaces (“PROS”) Department owns and operates various parks and facilities located throughout Miami-Dade County that are being made available for concession services and related activities.

Awarded Bidder(s) will be expected to utilize the park facilities and provide services in a manner normally associated with the specified activities and to comply with PROS rules, regulations and policies or applicable State or Local laws and in compliance with Article 7 of the County Charter. The awarded Bidder(s) will be expected to utilize the facilities for the above described activities/services/concession that will be open to the general public during designated hours; and to promote the Park. General recreation activities are expected to be available for all ages.

3.2 GOODS / SERVICES TO BE PROVIDED

Bidders will be pre-qualified to participate in spot market purchases to provide recreational activities that are being made available for general recreation, nature and/or cultural activities/services, concession services and/or related activities. These activities/services/concessions may include, but are not limited to: sports, fitness, arts, and environmental activities; mobile vending carts; concession stands; operation of recreational facilities; and others as may be posted.

PROS reserve the right to include/exclude any concession service at the facility. Further, PROS reserves the right to schedule special events that may preclude the selected Bidder(s) from operating in the facilities or a portion thereof. PROS will notify the awarded Bidder, in a written form, of these special events, no later than fourteen (14) calendar days prior to the scheduled special event.

3.3 AWARDED BIDDER'S RESPONSIBILITY:

The awarded Bidder(s) shall provide services related to recreation activities, concession operation, and related activities as follows:

- A. Furnish prompt and efficient service, adequate to meet all reasonable demands, including maintaining the minimum schedule and hours of operation for activities, subject to the approval of PROS.
- B. Provide an operation that will be safe, customer-oriented with prompt service, complaint resolution, effective volunteer and coaching performance and training, and timely initiation and completion of all work.
- C. Conduct background checks on all staff and volunteers pursuant to Miami-Dade County Ordinance 08-07, and ensure the safety of the patrons of the facility(ies) by meeting the requirements of Chapter 26, Article III of the Miami-Dade County Code entitled “The Shannon Melendi Act” for all owners, employees, and volunteers.

- D. Provide proper management of facilities and use the same in a careful manner. Any damages made to County property and facilities by its operations are borne by the selected Bidder.
- E. Provide all materials, equipment and supplies necessary to provide activities/services/concessions under the terms of the Agreement.
- F. Ensure that all management, staff, and volunteers wear picture identification at all times while on County property and when in direct contact with the public. The cost shall be borne by the Bidder.
- G. Be responsible for the security of the selected Bidder's own equipment and supplies, PROS does not accept responsibility for these items.
- H. Be responsible for utilities and custodial services unless otherwise stipulated.
- I. Be responsible for all expenses associated with the activities/services provided under the Agreement.

Note: Awarded Bidder for concession operations that provide food and beverages to patrons shall offer healthy options for each and shall utilize United States Environmental Protection Agency (EPA) approved cups and food containers. The recycling of comingled glass, plastic and aluminum products will be required. All goods and services and the subsequent fees are subject to prior written approval from PROS. Such services, fees and charges may be modified only by written request of the selected Bidder(s) to PROS and as approved by the PROS Director or Director's designee. Such approval shall be in writing at least 30 days prior to implementation of the modification.

3.4 GOALS AND OBJECTIVES

Recreational activities and concession operations should serve to all ages and will typically take place during normal park hours (unless specified in spot market quotation request), and shall be designed to meet the needs of the diverse community.

Outcomes for recreational activities/services, facility and concession operations will be based on the following appropriate measures, which will be derived from community input, surveys and comprehensive plans:

- A. Community need for activities/services/concessions
- B. Documented deficiencies for activities/services/concessions
- C. Desired benefit of activities/services/concessions
- D. Facilities to support specific activities/services/concessions
- E. County Park and Recreation facilities classification and capacity
- F. Population/Demographics to be served
- G. Scheduling availability

3.5 EVALUATIONS

The awarded Bidder will be subject to ongoing evaluations to ensure compliance with the intent of this Agreement throughout the term of the contract, including any extensions or renewals. The types of evaluations are as follows:

- A. Monthly Evaluations
- B. Annual Evaluations
- C. Performance – throughout the Agreement

3.5.1 Unsatisfactory Evaluations:

1. One unsatisfactory performance evaluation will result in a written request specifying improvements needed and the deadline in which to accomplish such improvements.
2. A second unsatisfactory performance evaluation will result in a Notice of Default specifying improvements needed and the deadline in which to accomplish such improvements.
3. A third unsatisfactory performance evaluation may result in the awarded Bidders' spot market quotation/ contract being terminated.

NOTE: At each step, the awarded Bidder(s) will have 14 days to respond in writing to the request for improvements.

3.6 PERFORMANCE MEASURES

A. Awarded Bidder shall submit to PROS:

1. On or before the 10th day following the end of each month during the term of the agreement, and on or before the 10th day of the month following the expiration or earlier termination of the Agreement, a written statement, signed by the awarded Bidder and certified to be true and correct, showing the service/activity scope, nature of activities and agreed upon performance measures during the preceding month.
2. On or before the 60th day following the end of each Agreement Year, an annual written statement, signed by the awarded Bidder and certified to be true and correct, setting forth the summary of activities and performance measures during the preceding Agreement Year. The statement referred to herein shall be in such form and style and contain such details and breakdowns as PROS may reasonably determine or require.

B. Additionally, the following is required criteria for both the award process and routine evaluations:

1. Ability to fulfill scope and desired outcomes
2. Investment in services/activities and/or facilities
3. Purpose and structure of organization
4. Performance history of organization (if applicable)
5. Financial stability of organization
6. Appropriateness of fee schedules
7. Ability to meet insurance requirements

3.7 SIGNAGE

The nature, size, shape and installation of awarded Bidder's signs within the contracted Facility or in, on or adjacent to the Facility must be approved in writing by the County and such approval shall be granted or denied in the sole and absolute discretion of PROS. Said signage must also be approved by all governmental authorities having jurisdiction and must conform to Article 7 of the Miami-Dade Home Rule Charter. Any requests for changes must be made in writing to PROS and approved prior to installation. All signs shall be removed by the awarded Bidder at termination of the Agreement and any damage or unsightly condition caused to the premises because of or due to said signs shall be satisfactorily corrected or repaired by the awarded Bidder.

3.8 FACILITY USAGE

PROS reserves the right to close or utilize facilities for safety or maintenance purposes at any time. PROS will provide a two (2) week notice of said closure when feasible. PROS retains the right to program or otherwise occupy facilities and/or rent facilities and fields and/or make them available for public use when no use is scheduled by the awarded Bidder.

2.9 LICENSES, PERMITS AND FEES

The awarded Bidder shall obtain and pay for all licenses, permits and inspection fees required for this project; and shall comply with all laws, ordinances, regulations and building code requirements applicable to the work contemplated herein. Damages, penalties and or fines imposed on the County or the Bidder for failure to obtain required licenses, permits or fines shall be borne by the awarded Bidder.