

Request for Proposals

Construction and Operation of a Cable Wake Boarding Facility and Aqua Park At Wildwood Park

Proposal Due Date: Thursday, July 22nd, 2021 by 4 p.m. E.D.T.

Location: Jaycee Park Recreation and Parks Administrative Office
2000 Cedar Lane
Greenville, NC 27858

This Request for Proposals managed by:

**Mr. Don Octigan
Director of Recreation & Parks
P.O. Box 7207
Greenville, NC 27835
Telephone: (252) 329-4567
Email: doctigan@greenvillenc.gov**

Invitation to Proposers

City of Greenville, NC

Date: June 23, 2021

Subject: Construction and Operation of a Cable Wake Facility at Wildwood Park

Contact: Don Octigan, (252) 329-4567, doctigan@greenvillenc.gov

The City of Greenville Recreation and Parks Department will accept proposals from prospective vendors until **4 p.m. E.D.T. on Thursday, July 22, 2021**, for the opportunity to construct and operate a cable wake boarding facility and aqua park on the west side property of Wildwood Park for a five (5) year period commencing September 1, 2021 and ending July 31, 2026, with the City of Greenville reserving the option to renew the contract for two (2) additional one (1) year periods under the same or mutually negotiated conditions.

Proposals will be accepted in a hard copy format at Jaycee Park Administrative Building, 2000 Cedar Lane, Greenville, NC 27858, or electronically as an attachment e-mailed to doctigan@greenvillenc.gov.

[IMPORTANT! The City of Greenville is unable to receive e-mail attachments in excess of ten (10) MB.]

Parties interested in submitting a proposal may obtain documents from the Purchasing Office by written request (e-mail acceptable). Requests may be directed to Mr. Don Octigan, Director of Recreation & Parks, PO Box 7207, Greenville, NC 27835-7207, doctigan@greenvillenc.gov.

These forms may also be obtained via download from the City's website:

<https://www.greenvillenc.gov/government/financial-services/current-bid-opportunities>

Summary of Work

The City of Greenville is requesting proposals from qualified firms and/or individuals to plan, construct and operate a cable wake boarding facility and aqua park located on the western portion of Wildwood Park, Greenville, NC. The successful proposer will pay a monthly rent rate (April to October) along with providing some level of in-kind services to the City of Greenville – examples: organizing an annual or by-annual park clean-up, or providing an instructional wake boarding programs in partnership with the City of Greenville Recreation and Parks Department.

NOTES:

- (1) The City will provide a designated construction and operational area for the selected vendor. Selected vendor will be responsible for all costs, design and permitting associated with construction.
- (2) Said vendor is free to provide their services on site year round, as they deem appropriate, though no rental fee will be required November through March.
- (3) All vendor belongings (vehicles, rental equipment, etc.) must remain within the boundaries of the vendor's designated area.
- (4) The exact location for construction of the facility will be determined once a final site plan is approved by all necessary parties and all necessary permits are obtained. Failure to obtain necessary permitting will impact the construction phase.

Wednesday, June 23, 2021

Dear Sir/Madam:

The Greenville Recreation and Parks Department is soliciting proposals from qualified firms and/or individuals for the construction and operation of a cable wake boarding facility to be located at Wildwood Park, Greenville, NC. The successful Proposer will provide a rental payment and some agreed upon in-kind services to the City of Greenville in return for permission to operate.

Water services to be offered may include, but are not limited to:

- Freestyle Cable Wake Boarding
- Wake Boarding Instructional Classes and Educational Programming
- Aqua Park for all ages
- Transportation of guests and gear

Note: *When certain special events are taking place at Wildwood Park (such as a river fest or holiday festivities) which the City is hosting directly or is contracting, partnering with or permitting another group to host or co-host, it **may** be desirable/permisible to provide event participants with offered services. However, during such times, the vendor may only provide such services if they have received advance written authorization to do so from the City of Greenville.*

The department is seeking one vendor to construct a first class wake boarding facility and to provide safe, accessible, and high quality wake boarding programming opportunities with a financial return to the City, and represent the City in a professional manner through good customer service, professional appearance of employees, ethical financial practices and cooperation with City staff. Written questions concerning this "Request for Proposal" (RFP) may be submitted to the Director of Recreation and Parks, Don Octigan by e-mail only, at docitigan@greenvillenc.gov. Please insert "**RFP - Cable Wake Boarding - Question**" in the subject line.

Such questions and their answers will be included in addenda to the RFP posted on the City of Greenville website (<https://www.greenvillenc.gov/government/financial-services/current-bid-opportunities>.) Proposers are responsible for monitoring the site for addenda updates.

Incomplete or incorrectly submitted proposals will not be accepted. **Proposals received after the 4 p.m. deadline on Thursday, July 22, 2021 will be deemed late and will not be accepted.**

A selection committee will review all proposals to determine the chosen vendor. Additional information may be requested and interviews conducted if needed to assure the effectiveness of the selection process.

Regards,

Don Octigan
Director of Recreation & Parks

CC: Heather White, Recreation & Parks Superintendent
Mark Nottingham, Parks Planner
Mark Tysinger, Recreation Manager

GENERAL INSTRUCTIONS

Read, Review, and Comply: It shall be the Vendor's responsibility to read this entire document, review all enclosures, attachments and any addenda thereto, and comply with all requirements specified herein, regardless of whether appearing in these Instructions to Vendors or elsewhere in this RFP document.

Late Proposals: Late proposals, regardless of cause, will not be opened or considered, being automatically disqualified from consideration. It shall be the Proposer's sole responsibility to ensure delivery at the designated office by the designated time.

Acceptance and Rejection: The City reserves the right to reject any and all proposals, to waive any informality in proposals and, unless otherwise specified by the Proposer, to accept any item in the proposal.

Withdrawal of Proposal: No proposal may be changed or withdrawn after the time of the proposal due date. Any modifications or withdrawals requested before this time shall be acceptable only when such request is made in writing to the Director of Recreation and Parks, Don Octigan (doctigan@greenvillenc.gov).

Conflict of Interest: Each Proposer shall affirm that no official or employee of the City of Greenville is directly or indirectly interested in this proposal for any reason of personal gain.

Rehabilitation Act and ADA: Federal law prohibits handicapped discrimination by all governmental units. By submitting a proposal, the Proposer is attesting to its policy of nondiscrimination regarding individuals with disabilities.

City Rights and Options: The City, at its sole discretion, reserves the following rights:

- To supplement, amend, substitute or otherwise modify this RFP at any time.
- To cancel this RFP with or without the substitution of another RFP.
- To take any action affecting this RFP, this RFP process, or the services subject to this RFP that would be in the best interests of the City.
- To issue additional requests for information or clarification from Proposers or to allow corrections of errors or omissions.
- To require one or more Proposer to supplement, clarify or provide additional information in order for the City to evaluate the responses submitted.
- To negotiate a contract with a Proposer based on the information provided in response to this RFP.

Public Records: Any material submitted in response to this RFP will become a "public record." Proposers must claim any applicable exemptions to disclosure provided by law in their response to this RFP. Proposers must identify materials to be protected, and must state the reasons why such exclusion from public disclosure is necessary and legal. The City reserves the right to make all final determination(s) of the applicability of North Carolina General Statutes § 132-1.2, Confidential Information.

Accuracy of RFP and Related Documents: Each Proposer must independently evaluate all information provided by the City. The City makes no representations or warranties regarding any information presented in this RFP, or otherwise made available during this procurement process, and assumes no responsibility for conclusions or interpretations derived from such information. In addition, the City will not be bound by or be responsible for any explanation or conclusions regarding this RFP or any related documents other than those

provided by an addendum issued by the City. Proposers may not rely on any oral statement by the City or its agents, advisors, or consultants.

If a Proposer identifies potential errors or omissions in this RFP or any other related documents, the Proposer should immediately notify the City of such potential discrepancy in writing. The City may issue a written addendum if the City determines clarification is necessary. A Proposer requesting an interpretation will be responsible for delivering such requests to the City's designated representative, Director of Recreation and Parks, Don Octigan, (doctigan@greenvillenc.gov).

Expense of Submitting the Proposal: The City accepts no liability, and Proposers will have no actionable claims for reimbursement of any costs or expenses incurred in participating in this solicitation process. This includes expenses and costs related to proposal submission, submission of written questions, attendance at pre-proposal meetings or evaluation interviews, contract negotiations, or activities required for contract execution.

Proposal Binding: This proposal is binding for a period of ONE HUNDRED TWENTY (120) days.

Questions Regarding the RFP:

Proposers wishing to request a clarification of the RFP requirements must submit written questions to Don Octigan (doctigan@greenvillenc.gov) by Wednesday, June 30th at 12:00 p.m. (EDT). Written copies of all questions and answers will be announced publicly via the City's website by Friday, July 2nd at 4:00 p.m., and can be found after that time at <https://www.greenvillenc.gov/government/financial-services/current-bid-opportunities>

GENERAL INFORMATION

A. PURPOSE

The purpose of this Request for Proposals (RFP) is to solicit proposals from qualified and interested firms and/or individuals for the construction and operation of a first class cable wake boarding facility located at Wildwood Park, Greenville, NC. The successful proposer shall provide plans for the construction phase of the project along with a menu of pre-approved services to be offered at Wildwood Park for the benefit of the park patrons during times agreed upon between the City and vendor(s).

B. BACKGROUND

The Tar River Legacy Plan process identified enhanced access to the Tar River, recreational water sport opportunities, and associated support facilities (e.g., community buildings, restrooms) as development priorities. Development of phase one at Wildwood Park will be complete in the summer of 2021 and Greenville Recreation and Parks is looking to immediately provide recreational services within the park. As part of the plan to activate the new park, City staff are seeking a public, private partnership that is mutually beneficial to the vendor and City to eventually provide cable wake boarding services at the park. The selected vendor will also be required to plan and construct the cable wake boarding course as well as an aqua park since there is no infrastructure currently at Wildwood Park to provide such services. The City will consider entering into an agreement with a qualified firm who is able to provide the requested construction and operating services. The City will consider entering into a three (3) year contract (with two 1-year renewal options) with the firm who submits the best, qualifying proposal.

C. TERMS OF AGREEMENT

Anticipated term of the contract would be for the period of September 1, 2021 through June 31, 2026, with the City of Greenville reserving the option to renew the contract for two (2) additional one-year periods under the same or (mutually agreed upon) modified conditions.

D. PAYMENT

The Proposer's monthly payment for the privilege of providing the agreed upon services at Wildwood Park would be negotiated as part of the proposal and agreement process. Payment would be for the months of April through October, plus the provision of some mutually agreed upon in-kind services. No payment is required for the months of November through March.

E. PROVISION OF SERVICES

Under the terms and conditions of the contract, the selected vendor shall be responsible for the procurement, operation and maintenance of the equipment, supplies and staff needed to effectively provide the agreed upon services, including but not limited to possessing adequate equipment inventory, management of revenue collection, and maintenance and cleaning of the equipment and of the vendor(s)' designated service area(s). The selected vendor shall possess all licenses, permits, and insurance, and be responsible for the hiring, insurance, supervision, performance assessment and termination of vendor employees. The selected vendor agrees to comply with applicable local, state and federal ordinances, statues, laws, rules, regulations and best business practices governing recreational paddling and related services.

F. CONSTRUCTION

The vendor shall comply with all building and environmental codes during the planning and construction of the wake boarding facility infrastructure. All permitting is to be managed by the vendor with no financial support from the City. The construction will include the infrastructure for the cable wake boarding course and the Aqua Park. All site plans must be reviewed and approved by City of Greenville Recreation and Parks staff.

G. OPERATION

The vendor shall comply with all provisions of the Americans with Disabilities Act including any amendments. Discrimination in services, conduct and pricing under any circumstances shall not be tolerated. Failure to comply with the American Disabilities Act and the 1964 Civil Rights Act and its amendments shall be grounds for termination of a vendor's contract.

The vendor will be required to provide a level of service including routine maintenance/cleaning of their designated rental areas at a standard equal to those set by the City for Wildwood Park. The City shall not be liable for any cost incurred by the selected vendor to commence and maintain operations. The City is not liable for any losses incurred by the selected vendor during the term of any executed agreement. The City makes no promise of total sales amounts nor does the City guarantee the selected vendor a minimum number of potential patrons.

The selected vendor shall not sublease or transfer this agreement to any other party without prior written approval of the City. Selected vendor cannot use glass containers or sell consumable products, including alcohol or tobacco products.

E-Verify Compliance

The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the Contractor utilizes a Subcontractor, the Contractor shall require the Subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. The Contractor represents that the Contractor and its Subcontractors are in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

Iran Divestment Act

As a result of the Iran Divestment Act of 2015 (Act), Article 6E, N.C. General Statute § 147-86.55, the State Treasurer published the Final Divestment List (List) which includes the final companies and persons engaged in investment activities in Iran and will be updated every 180 days. The list can be found at <https://www.nctreasurer.com/inside-the-department/OpenGovernment/Pages/Iran-Divestment-Act-Resources.aspx>

By submitting the Proposal, the Contractor certifies that, as of the date of this bid, it is not on the current list created by the State Treasurer. The Contractor must notify the Department immediately if, at any time before the award of the contract, it is added to the list.

As an ongoing obligation, the Contractor must notify the Department immediately if, at any time during the contract term, it is added to the list. Consistent with § 147-86.59, the Contractor shall not contract with any person to perform a part of the work if, at any time the subcontract is signed, that person is on the then-current List.

During the term of the Contract, should the Department receive information that a person is in violation of the Act as stated above, the Department will take action as appropriate and provided for by law, rule or contract.

H. CITY REQUEST FOR PROPOSAL (RFP)

The City of Greenville reserves the right to reject any and all proposals, waive informalities, and award contracts which appear to be in its best interest.

The City shall not be liable for any cost incurred in connection with preparation and submittal of any proposal.

The City reserves the right to make an award based on factors that include but are not limited to experience, quality of proposal, staff credentials, specific services provided, methods of operation, and established safety policies and procedures. Contracts may be awarded to the Proposer who has submitted the proposal deemed to be in the best

interest of the City. The City may award a contract based on the proposals submitted without further discussions or negotiations. Selection of the best proposal will be made on the basis of the criteria set forth in this RFP. The City reserves the right to negotiate the final terms of the contract with the highest rated responsive Proposers. Proposers are cautioned that any response to this RFP shall not be considered a “bid”.

I. PROPOSER'S INSPECTION

It will be the responsibility of the individual Proposers to contact the Director of Recreation and Parks Don Octigan (252.329.4567 / doctigan@greenvillenc.gov) to schedule a tour of the park.

J. CONFIDENTIALITY

If the Proposer must include in its proposal material of a confidential nature, i.e., not intended for disclosure to third persons, the Proposer should so indicate. Notice is given that under the North Carolina public records laws such information may be subject to release even if marked confidential. The City will notify the Proposer of such a request and afford the Proposer the opportunity to take whatever action it deems necessary if the Proposer desires to object to the release. The City will then exercise its best efforts to protect this information, but only to the extent that the law permits. The City assumes no responsibility for any loss or damage which may result out of any breach of confidentiality, including but not limited to attorney's fees, monetary or business losses, costs, fines or damages awarded or such other costs associated with any court or administrative action concerning whether the information should be released or not.

K. CITY OF GREENVILLE LOCAL PREFERENCE POLICY

It is the policy of the City of Greenville to ensure the best overall value in the procurement of goods and services and to support the City's economic development. Therefore, the City of Greenville has adopted a Local Preference Policy which provides a preference to eligible local bidders in the awarding of certain city contracts. The City's Local Preference Policy may be found at:

www.greenvillenc.gov/home/showdocument?id=456

Questions regarding the City's Local Preference Policy should be directed to the Purchasing Division of the City of Greenville at (252) 329-4664.

In accordance with the City's Local Preference Policy, being local is a factor to be considered in determining the qualifications of the entity or person submitting a proposal.

J. REPRESENTATIONS

1. The City will not be bound by any representations that are not set forth in the RFP.
2. The Proposer is responsible for making all necessary investigations/examinations of documents, operations, city website information, and premises affecting performance. It is mutually agreed that the submission of a proposal shall be considered conclusive evidence that the Proposer has made such investigations/examinations.
3. Any reasonable inquiry to determine the responsibility of a Proposer may be entertained. The submission of a proposal shall constitute permission by the Proposer for the City to verify all information contained therein. If the City deems it necessary, additional information may be requested from the Proposer. Failure to comply with any such request may disqualify a Proposer from further consideration.
4. The Proposer may withdraw the proposal at any time prior to the day/date/time which is set forth herein as the deadline for acceptance of proposals, upon written request for same to the Director of

Recreation and Parks, Don Octigan (doctigan@greenvillenc.gov).

5. All proposals shall be firm offers and may not be withdrawn for a period of one hundred twenty (120) days following the day/date/time set to receive proposals.
6. Conflict of Interest – By submitting this proposal, each bidder shall affirm that:
 - (a) No official or employee of the City of Greenville is directly or indirectly interested in this proposal for any reason of personal gain.
 - (b) The proposal is genuine; that the same is not sham or collusive; that all statements of fact therein are true; that such proposal was not made in the interest or behalf of any person, partnership, company, association, or corporation not therein named or disclosed.
 - (c) The Proposer has not directly or indirectly by agreement, communication, or conference with anyone, attempted to induce action prejudicial to the interest of the City of Greenville, or any other Proposer, or anyone else interested in the proposed agreement; that the Proposer has not in any manner sought by collusion to secure an advantage over any other Proposer.

INSTRUCTIONS TO PROPOSERS

A. MINIMUM REQUIREMENTS FOR RESPONSIVE RFP

A Proposer's response to this RFP must be made according to the specifications set forth in this section, both for content and sequence.

Any proposal failing to comply with said specifications and therefore deemed to be non-responsive shall be subject to rejection by the City. A Proposer may correct, revise or withdraw any proposal up to the closing date or time for submission of proposals designated in these instructions. Proposals received after the time for submission will be rejected. The Director of Recreation and Parks may permit a Proposer to correct a minor mistake such as a calculation mistake, a minor omission such as failure to include a referenced document in the proposal, to correct a minor informality or withdraw a proposal after the closing date for submission of proposals if sufficient evidence can be presented citing extenuating circumstances.

1. MINIMUM QUALIFICATIONS:

In order to be deemed minimally qualified for consideration in the award of the service contract, a Proposer must:

- a. Have experience in the provision of similar services as requested, or evidence of other equivalent experience /qualifications to provide the service requested.
- b. Assure that all employees hold the necessary certifications as laid out in final agreement.
- c. Maintain a safe environment for rental patrons and trip participants which includes **mandatory use of various safety equipment**, including a Personal Flotation Device (PFD).
- d. Possess the necessary line of credit or equity to manage a public operation of this nature.

In the event a corporation is proposing to provide the service, said corporation must verify that the person responsible as manager of the operation shall meet the above listed qualifications in item a.

2. ITEMS TO SUBMIT

In order to be deemed fully responsive to this RFP, a Proposer must complete and submit the following:

- a. **BUSINESS PLAN**
- b. **SITE PLAN DRAFT FOR CABLE WAKE BOARDING PARK AND AQUA PARK**
- b. **RISK MANAGEMENT PLAN**
- c. **BUSINESS OPERATIONS NARRATIVE AND DOCUMENTS**
- d. **IN-KIND SERVICES TO BE OFFERED**
- e. **AUTHORIZATION TO RELEASE INFORMATION**
- f. **PROPOSAL FORM**

a. **BUSINESS PLAN:**

The Business Plan should detail, at a minimum, the marketing, operational, and financial approach of the proposed operation. Business Plan sections must include, but are not limited to:

1. **Proposed Price List:** Current prices, fees and charges for all contemplated services and rentals shall be submitted.
2. **Marketing and promotional plan:** Examples of promotional materials and graphics to be used. Identify and describe seasonal promotional activities. Provide a breakdown of marketing efforts based on the type of media that will be utilized (e.g., social media, PSA, television, radio, print) and frequency.
3. **Site Improvements:** A listing of site improvements, signage, storage equipment, etc. required to operate as proposed.
4. **Service Program:** A detailed, narrative description of all services and rental items to be offered shall be submitted; include operational season, days/hours of operation, number of rentals available, frequency of proposed services (e.g., relative frequency of programming and free style wake boarding, if proposed by potential vendor); participant restrictions (i.e. age restrictions, participant-to-instructor ratio) and safety rules and policies.
5. **Environmental Stewardship:** As part of the attached business plan the Proposer will detail specific messaging, activities, and/or partnerships intended to advance public stewardship of the Tar River, if any.
6. **Accessibility Plan:** City of Greenville services are required to comply with the Americans with Disabilities Act which prohibits discrimination on the basis of disability. The City of Greenville and its contracted facility operators will make reasonable accommodations in all programs to enable participation by an individual who meets eligibility requirements. Programs and services will be available in the most integrated setting for each individual. As part of the business plan accessibility of current and proposed services to patrons with disabilities should be addressed.

b. **SITE PLAN DRAFT FOR CABLE WAKE BOARDING PARK AND AQUA PARK**

Each proposer must prepare a site plan for City staff to evaluate. The site plan should be a draft of the overall cable wake boarding course layout along with the location of the proposed aqua park. The site plan should also include:

1. **Overview of Cable Wake Boarding Course and Aqua Park:** Detail how the course will be design on the west side parcel of Wild Wood Park. Potential modifications of the current landscape should be outlined if necessary.
2. **Overview of Permitting:** List the permits that must be received in order for construction to move forward.
3. **Projected Timeline:** Provide a potential timeline for design, permitting and construction.
4. **Proof of Insurance for Construction:** Proposers shall submit a Certificate of Insurance for the construction involved. In the absence of such certificate, Proposers may submit a Letter-of-Commitment from an acceptable insurance company setting forth that the required insurance coverage, as described below, will be available to the Proposer for the term of the contract. The following minimum requirements are required by the City of Greenville:

The selected Proposer agrees to purchase and maintain at its own expense during the term of this contract the following forms of insurance covering its operations. Such insurance shall be provided by insurer(s) satisfactory to the CITY and evidence of such programs satisfactory to the CITY shall be delivered to the CITY on or before the effective date of this Contract. Such evidence shall specifically identify this contract and shall contain express condition that the CITY is to be given written notice of at least thirty (30) days in advance of any modification or termination of any program of insurance. Such insurance, with the exception of Workers' Compensation insurance, shall be primary to, and not contributing with, any other insurance maintained by City, and shall name the CITY as an additional insured:

Commercial General Liability: Bodily injury and property damage liability as shall protect the vendor and any subcontractor performing work under this contract from claims of bodily injury and property damage which arise from operation of this contract whether or not such operations are performed by the vendor. Such insurance coverage must indemnify and hold harmless the City of Greenville, its managers, directors and employees for any negligent acts whether by commission or omission of the vendor, vendor's employees and any subcontractor and employees of the subcontractor. The amounts of such insurance shall not be less than one million dollars (\$2,000,000.00) bodily injury each occurrence/aggregate and one million dollars (\$2,000,000.00) property damage each occurrence/aggregate, or one million dollars (\$2,000,000.00) bodily injury and property damage combined single limits each occurrence/aggregate. This insurance shall include coverage for products/completed operations, personal injury liability and contractual liability.

Auto Liability: Proof of automobile insurance in accordance with North Carolina laws.

Workers' Compensation: If applicable, a program of Workers' Compensation insurance in an amount and form to meet all statutory requirements of the laws of the State of North Carolina.

c. RISK MANAGEMENT PLAN:

Risk Management seeks to minimize or eliminate threats to life, liberty, well-being and property to a park visitor, program participant, or employee, and must reflect current practices, industry standards, and changes in federal, state, and local law. These sections must include, but are not limited to:

- 1. Operational Parameters:** Detail how and when water and weather conditions (e.g., temperature, flow, depth, precipitation) will be assessed and under what conditions rentals and services will be temporarily suspended.
- 2. Staff Requirements:** Organizational chart, number of employees, positions, qualifications, and certifications.
- 3. Responsibilities and Duties:** Listing of positions' associated responsibilities and duties.
- 4. Required Employee Trainings and Certifications:** List certification and training requirements for staff.
- 5. Volunteer and Intern Management:** This section should identify if, how and when volunteers/interns will be utilized in the proposed operation, the screening process for them, and the hiring and training processes.
- 6. Vehicle Use Policies and Procedures:** This section should include how vehicles will be utilized in the proposed operations, the requirements for operating a vehicle, safety inspections, and accident reporting procedures.
- 7. Renter/Participant Safety Orientation Plan:** Specific instructions, including participant rules and safety requirements, presented to renters/program participants prior to engaging in recreational watercraft opportunities, and the format in which they will be presented.
- 8. Emergency and Incident Response Plan:** Identify potential emergency situations and policies and procedures detailing appropriate responses to these scenarios. Include incident and accident reporting forms. All incident and accidents must be reported to the City of Greenville annually; those incidents or accidents that result in a significant disruption of service or debilitating injury or loss of life must be reported to the Recreation Manager of Wildwood Park immediately. (mtysinger@greenvillenc.gov – 252 /329-4561).
- 9. Use of Waivers:** The Proposer should include copies of all customer waiver forms and specify under what circumstances they will be used. Waivers should include at minimum the following sections: Assumption of risk, consent to treat, and indemnification/hold harmless for the City, its agents, representatives, officers, directors and employees.
- 10. Equipment Inspection and Preventative Maintenance Schedule:** When, how, and by whom equipment is inspected and under what conditions it is removed from service. Identify what measures are taken to reduce unexpected failures.
- 11. Record Keeping Requirements:** What records are retained (e.g., waivers, incident/accident forms, trainings/certification documentation), where, and for how long.

d. BUSINESS OPERATIONS NARRATIVE AND DOCUMENTS:

Proposers must present evidence, satisfactory to the City, of their ability to operate and maintain the specified equipment. To this end, each Proposer must attach the following:

1. **General Business Statement:** A statement of all the important business activities of the Proposer's overall business. This statement should emphasize the Proposer's experience in the maintenance, operations and/or management of the specified recreational cable wake boarding activities. In the event that the Proposer has provided such service on a contractual basis to a public agency or to a private entity, the Proposer shall submit the name, address and phone number of such clientele, and a brief description of the services provided. Further, the Proposer must identify such contracts, if any, that within the last five (5) years have been canceled or not renewed.
2. **Personal/Corporate References:** A minimum of three (3) personal/corporate references providing current names, addresses and telephone numbers is required.
3. **Credit References:** A minimum of three (3) credit references giving current names, addresses and telephone numbers is required. It is also required that at least one (1) of the three (3) references is a bank or savings and loan institution. The type of relationship shall also be indicated (i.e., checking, savings, real estate loans, construction loans, small business loans, etc.). A credit check of these references may be conducted by the City.
4. **Proof of Insurance:** Proposers shall submit a Certificate of Insurance for the operations involved. In the absence of such certificate, Proposers may submit a Letter-of-Commitment from an acceptable insurance company setting forth that the required insurance coverage, as described below, will be available to the Proposer for the term of the contract. The following minimum requirements are required by the City of Greenville:

The selected Proposer agrees to purchase and maintain at its own expense during the term of this contract the following program(s) of insurance covering its operations. Such insurance shall be provided by insurer(s) satisfactory to the CITY and evidence of such programs satisfactory to the CITY shall be delivered to the CITY on or before the effective date of this Contract. Such evidence shall specifically identify this contract and shall contain express condition that the **CITY is to be given written notice of at least thirty (30) days in advance of any modification or termination of any program of insurance.** Such insurance, with the exception of Workers' Compensation insurance, shall be primary to, and not contributing with, any other insurance maintained by City, and **shall name the CITY as an additional insured:**

Commercial General Liability: Bodily injury and property damage liability as shall protect the vendor and any subcontractor performing work under this contract from claims of bodily injury and property damage which arise from operation of this contract whether or not such operations are performed by the vendor. Such insurance coverage must indemnify and hold harmless the City of Greenville, its managers, directors and employees for any negligent acts whether by commission or omission of the vendor, vendor's employees and any subcontractor and employees of the subcontractor. The amounts of such insurance shall not be less than one million dollars (\$2,000,000.00) bodily injury each occurrence/aggregate and one million dollars (\$2,000,000.00) property damage each occurrence/aggregate, or one million dollars (\$2,000,000.00) bodily injury and property damage combined single limits each occurrence/aggregate. This insurance shall include coverage for products/completed operations, personal injury liability and contractual liability.

Auto Liability: Proof of automobile insurance in accordance with North Carolina laws.

Workers' Compensation: If applicable, a program of Workers' Compensation insurance in an amount and form to meet all statutory requirements of the laws of the State of North Carolina.

e. IN-KIND SERVICES TO BE OFFERED:

1. On a page entitled "Proposed In-kind Services," Proposers should describe some level of in-kind service(s) of benefit to the City of Greenville and its citizens, which they would be willing to provide at no cost. Examples: organizing an annual or bi-annual park or river clean-up; providing an instructional cable wake boarding clinic or various programming for youth in one or more of the City's summer camps; free ½ hour rentals to participants at a Wildwood Park special event; etc.

f. AUTHORIZATION TO RELEASE INFORMATION :

1. Complete and sign form appearing on the final page of this RFP, and include as the last page of your submission, preceding any attachments.

g. PROPOSAL FORM:

1. Complete and utilize as the cover sheet for your proposal. (Form located on page 16 of this RFP).

3. PREPARATION OF THE PROPOSAL

- A. Any proposals that are submitted in a hard copy format must be **typed in a minimum 11 point font** for submission on 8 ½" x 11" white paper and must be bound in a secure manner.
- B. Any proposals submitted electronically as an attachment must follow the format in "A" above: typed, minimum 11 pt. font, and – except for supplementary materials - be printable on 8½" X 11" paper. (**Note: The City is unable to receive e-mail attachments larger than 10 MB.**)
- C. Material/data not specifically requested for consideration, but which the Proposer wishes to submit, must not appear within the proposal, but may appear only in an "additional data" section. This specifically refers to the following types of data:
 - a. standard brochures/photographs
 - b. promotional material with minimal technical content
 - c. generalized narrative of supplementary information
 - d. supplementary graphic materials
- D. If a proposal is made by a partnership, it shall be signed with the partnership name and by an authorized general partner, and the full names and current mailing addresses of each general and limited partner shall be supplied.

If the proposal is made by a joint venture, it shall be signed with the full name and current mailing address of each participant of the "joint venture." If the proposal is made by a corporation, it shall be signed by the president and secretary in the corporate name with the corporate seal affixed. In all cases, each signature must have the proper acknowledgment of execution attached to the proposal form.

- E. When proposals are signed by an agent other than an officer of a corporation or a member of a general partnership, a power of attorney authorizing the signature must be submitted with the proposal.
- F. If the proposal is submitted by a partnership or joint venture, the statement of personal history attached to the proposal form must be completed by each general partner or "joint venture". If the proposal is submitted by a corporation, the statement must be completed by the principal officers of said corporation.

- G. The City may request additional information from any person, firm or corporation submitting a proposal.

4. SUBMISSION OF THE PROPOSAL

- A. If submitted in person or by postal services, should be in sealed envelope plainly labeled with the name, mailing address and telephone number of the proposer, and the notation, "Water Sports Vendor Proposal." (E-mail submissions should include the subject line, "Water Sports Vendor Proposal.")
- B. It is the sole responsibility of the Proposer to assure that the proposal is received before the submission deadline. A Proposer shall bear all risks associated with delays in mail, courier services, hand-delivery or e-mail.

5. DEADLINE FOR RECEIPT OF PROPOSAL

- A. The City will receive proposals by 4 p.m., Thursday, July 22, 2021 at the location or email address indicated below:

Mr. Don Octigan, Director of Recreation and Parks
Jaycee Park Administrative Building
2000 Cedar Lane
Greenville, NC 27858
doctigan@greenvillenc.gov

Proposals received after the above date and time shall not be considered.

SELECTION PROCESS AND EVALUATION CRITERIA

A. SELECTION PROCESS

The City reserves the right to act as sole judge of the content of the proposals submitted for the City's evaluation/selection.

B. EVALUATION CRITERIA

Selection of the best responsible proposal(s) will be based upon the following considerations/criteria:

1. Proposer's Experience and Capability 40%
 - a. Proposer's demonstrated financial status and operational ability to provide the proposed service operations.
 - b. Proposer's previous experience providing the services requested by this RFP or equivalent experience and qualifications.
 - c. Proposer's adherence to all applicable local, state, and federal regulations.
 - d. Qualifications and certifications of the individuals who will coordinate and deliver the services pursuant to this RFP.
2. Service Program 35%

- a. Quality, availability, character, and value of specific services to be provided at Wildwood Park, including in-kind services.
 - b. Evaluation of business plan.
 - c. Evaluation of risk management plan.
 - d. Operational impact to City staff in support of the contracted service.
 - e. Accessibility of proposed services to patrons with disabilities.
 - f. Quality and thoroughness of proposal.
3. Concepts and Approach 20%
 - a. Demonstration of the Proposer's understanding of the Greenville Recreation and Parks Department's mission, facilities and operations, future growth potential, and customer base.
 4. Local Preference Policy 5%
 - a. In accordance with the City's Local Preference Policy, being "headquartered" locally is a factor that will be considered in determining the qualifications of the entity or person submitting a proposal.

C. EVALUATION PROCESS

The evaluation of proposals will be conducted by a selection panel chosen by the City. In all cases, the panel on the whole will have the appropriate experience in the conduct, administration and evaluation of projects, proposals, agreements and operations similar to the subject of the RFP.

The City, at its option, may invite one (1) or more Proposers to make an oral presentation to the selection panel. During these interviews, the selected Proposers will be allowed to present such evidence as may be appropriate in order that the panel can effectively analyze all materials and documentation submitted as part of the proposals. The City is not required to conduct interviews of any Proposers and may award solely on the basis of written submission. The panel will employ the applicable criteria and their expertise in evaluating all proposals, and thereafter shall create a prioritized ranking of highest to lowest of all selected proposals. Those proposals ranked in the top five may be requested to provide a best and final offer before a/the final award(s) is/are made.

D. APPROVAL OF CONTRACT

Subsequent to the aforementioned process, the selection panel chosen by the City will recommend and seek authorization to award a contract to the Proposer(s) earning the highest ranking(s) by the panel.

MINORITY & WOMEN BUSINESS ENTERPRISE (M/WBE) PROGRAM

It is the policy of the City of Greenville to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs, including but not limited to, construction projects, supplies and materials purchase, and professional and personal service contracts. In accordance with this policy, the City has adopted a Minority and Women Business Enterprise (M/WBE) Plan and subsequent program, outlining verifiable goals.

The City has established a 4% Minority Business Enterprise (MBE) and 4% Women Business Enterprise (WBE) goal for the participation of M/WBE firms in supplying goods and services for the completion of this contract. All firms submitting qualifications and/or proposals agree to utilize minority and women-owned suppliers and service providers whenever possible.

Questions regarding the City of Greenville's M/WBE Program should be directed to the M/WBE Office at (252) 329-4462.

E. EQUAL EMPLOYMENT OPPORTUNITY CLAUSE

The City has adopted an Equal Employment Opportunity Clause, which is incorporated into all specifications, purchase orders, and contracts, whereby a vendor agrees not to discriminate against any employee or applicant for employment on the basis of race, color, religion, sex, national origin or ancestry. A copy of this clause may be obtained at the City Clerk’s Office, City Hall, Greenville, NC. By submitting qualifications and/or proposals, the firm is attesting that they are an Equal Opportunity Employer.

Federal law (Rehabilitation Act and ADA) prohibits handicapped discrimination by all governmental units. By submitting a proposal, the vendor is attesting to its policy of nondiscrimination regarding individuals with disabilities.

PROCUREMENT PROCESS

Schedule and Process: The following chart shows the schedule of events for the conduct of this RFP. The key events and deadlines for this process are as follows:

Event	Date and Time
Issuance of RFP	Monday, June 21, 2021 - 4:00 p.m.
Deadline to Submit Questions	Wednesday, June 30, 2021 – 12:00 p.m.
Answers to Questions Provided	Friday, July 2, 2021 – 4:00 p.m.
Proposal Due	Thursday, July 22, 2021 – 4:00 p.m.

Upon review of the RFP documents, firms may have questions to clarify or interpret the RFP in order to submit the best proposal possible. To accommodate the Proposal Questions process, vendors shall submit any such questions by the above due date. Written questions shall be emailed to doctigan@greenvillenc.gov by the date and time specified above. Please enter “**RFP - Cable Wake Boarding - Question**” on the subject line of the email.

Responses will be posted in the form of an addendum to the RFP on the City’s website at:

<https://www.greenvillenc.gov/government/financial-services/current-bid-opportunities>

No information, instruction or advice provided orally or informally, whether made in response to a question or otherwise in connection with this RFP, shall be considered authoritative or binding.

No contact regarding this RFP will be allowed between Proposers or potential Proposers and employees of the CITY staff after issuance of the RFP with the exception of the CITY contact person named on the cover page. Any such contact may disqualify a firm from further consideration. Requests for clarification from Proposers will be allowed provided that such requests are made through the Director of Recreation and Parks in writing (doctigan@greenvillenc.gov).

PROPOSAL FORM

Name of Proposer _____ Date _____

TO: Mr. Don Octigan, Director of Recreation and Parks
Jaycee Park Administrative Building
2000 Cedar Lane
Greenville, NC 27858
doctigan@greenvillenc.gov

Dear Mr. Octigan:

A PROPOSAL FOR THE PROVISION, OPERATION, AND MAINTENANCE OF WATER SPORTS OPPORTUNITIES AND RELATED SERVICES AT WILDWOOD PARK

I propose to provide the required recreational water sports opportunities, as well as required maintenance and upkeep of the assigned area associated with my provision of such services.

I propose the term of the agreement be for a period of time of not less than five (3) years.

I propose to pay to the City the following amounts as a monthly rental from rentals and related revenues:

MONTHLY RENTAL PAYMENT

\$_____ /month, April through October

In addition to the services specified in the RFP, I further propose to freely offer the services described on the "Proposed In-Kind Services" page accompanying this proposal.

I am personally acquainted with the City of Greenville Recreation and Parks Department and am familiar with the privileges to be granted thereon. I have read the related information in this RFP.

Furthermore, I feel qualified to submit a proposal.

The undersigned hereby respectfully submits this proposal, including any required documents and/or statements.

Signature _____ **Printed Name** _____

Address _____

Phone (s) _____

AUTHORIZATION TO RELEASE INFORMATION

I hereby authorize the release of all financial and credit information and/or verification of employment to the City of Greenville and its Department of Recreation and Parks as said items relate to my interest in security and agreement with the City. This form may be reproduced/ photocopied to be utilized as my consent to release financial and credit information or employment verification.

Name _____

Signature _____

Date _____