

Kayak Concession RFP Questions

The following questions and answers are from potential proposers as specifically related to clarifying the RFP document:

1. Is an ACA or other equivalent course accepted?

On page 4 of Exhibit C it states, “Concessionaire may request variations from the kayak guide qualifications set forth in this section. Requests for variations must be made in writing to the Park and Recreation Department and the request shall substantiate that the variation does not reduce the intent of the qualification set forth in this rule.”

It is unknown at this time if the ACA meets the intent of the qualifications.

2. Can the park still be used for instruction?

No commercial use of Kellogg or Laureate Park is permitted. All orientation/training must be conducted inside of the store or in the designated training area north of the kayak storage area.

3. Are the 54 tour slots for 10 boat tours?

Yes, on page 2 of Exhibit C the maximum number of tour participants and student to instructor ratios are outlined. At this time, this applies to all tour slots (Pg.2, #6 – 12 boats= 10 client/2guide).

4. Will there be any flexibility on tour times what if clients are late, conditions are poor, etc. do we forfeit the time?

In general, it is expected the tour schedule be followed. However, should extenuating circumstances present themselves, the Lifeguard Ambassador, or designee, will have the discretion to make appropriate exceptions.

5. Where did the 15 boat rental cap # come from?

The 15 boat rental cap was based on an evaluation of safety concerns by Lifeguards.

6. How will you deal with the overflow of rental business on weekends? How will other rental companies be enforced or do they not need to be enforced since customers will deliver their own?

Companies who conduct business on City property without a permit are subject to reasonable and appropriate enforcement action. Non-permitted companies that drop off Kayaks for customers at the beach launch will be subject to citation.

- 7. Under “Proposal Evaluation” Section E, under Criteria for selection it states: “Proposer should have a minimum 3-year experience in the past 5 years operating a similar operation”. How would this apply to a company that has been in operation for 8 years, but has recently been purchased?**

Information regarding the previous owner’s experience may be considered as well as the proposer’s and current employee’s qualifications and experience.
- 8. The RFP states that the suggested range of tours to be included is between 3-15 tours. Since operators vary in size and specialty, can operators propose a reasonable number of tours based on historical use in excess of 15 tours based on current market share? Will this result in an automatic disqualification of the submitted RFP, or will the RFP be significantly penalized?**

A proposal in excess of 15 tours will not be automatically disqualified. Each proposal will be ranked on its responsiveness and reasonableness.
- 9. The cover page outlines a rough table of contents for required items. Should this be on the actual outside exterior of the RFP? Or on the inside? Because there are 6 required copies and 1 unbound copy, shall we copy the cashiers check in each copy and provide the actual check in an envelope separately?**

Please sign the cover page and submit with your check in a large envelope that includes your unbound proposal.
- 10. When we turn the RFP’s, do we need to hand them to April?**

Proposals can be mailed to the listed address or hand delivered to the Real Estate Assets Department. If you hand deliver your proposal, the receptionist at the front counter will accept and date stamp your proposal. You will also receive a receipt for the performance deposit check.
- 11. The RFP asks for “Summary of Employees’ Qualifications”. Do you want a description/bio for each and every tour guide?**

Yes. In the event an individual has not been selected for a particular position at the time the proposal is submitted, provide a listing of the experience and qualifications that will be utilized in the selection process.
- 12. The RFP says that we should come up with an operating plan based on a range of tour times. Is it necessary to propose specific times?**

Yes, specific desired time slots should be stated in your proposal.
- 13. How many vendors is the City looking to select? Is this something that will be definitively disclosed prior to the closing date of proposal submissions?**

The City does not have a fixed number of proposers/vendors to be selected. The number of proposers selected will be based on the total number of proposals submitted and the ranking of those proposals.

- 14. Who specifically is on the panel that will be reviewing and selecting the RFP recipients?**
The panel will be composed of representatives from Lifeguard Services, the Park and Recreation Department, and the Real Estate Assets Department as well as one or two members from outside the City that are highly experienced in water safety.
- 15. Will the City accept and seriously consider proposals that deviate slightly from the parameters in the operating plan? Can proposals for special use/lessons be included? Will deviations be considered that are based on historical use and that would be backed up by included financial statements? Pages 4 & 5, section 6 says essentially you can propose deviations from the RFP, but you may be discounted. Is that so, if deviations are based on historical use? Please clarify.**
The City may consider proposals that deviate from the operating plan. Special use/lessons may be included. Deviations will be evaluated based on a determination by Lifeguards.
- 16. The RFP as it is currently written refers to "kayak sales" in one section and then "gross receipts" in another section. Is the 8% fee based on all gross sales or specifically just kayak tour/rental sales?**
The 8% fee is based only on kayak tours.
- 17. Within the operating plan, the City requests that proposals include number of proposed tours & times, etc. Can we submit for example, "Option A" & "Option B" within this section?**
Yes, you may submit "Option A" & "Option B".
- 18. The City does require tax returns for the last 3 years. It seems that it would be also very important for proposers to additionally include a 2008 Financial Statement/P & L through the end of the summer, or through September 30th 2008. Will the City also require a 2008 financial statement, to verify how vendors performed in difficult economic times?**
The RFP requires financial statements/tax returns for the last three years. A 2008 financial statement is not required, however if there is information that adds to the proposal, it may be submitted.
- 19. Is the minimum bid then fixed at \$6,000 or can our proposals offer a different minimum bid?**
The \$6,000 minimum rent is fixed.
- 20. There was some discussion that the City might be willing to extend the November 14th deadline by a few days. Is the deadline still set for 11/14?**
The deadline to submit proposals has been extended to 4:00 p.m. November 17th, 2008.

- 21. The RFP says that company representatives may be asked to interview with the City. When we will know if and when this is going to happen?**

Interviews with proposers may be scheduled if there are questions or items in the proposal requiring clarifications. Company representatives would be contacted after proposals are submitted and before final selections are made.

- 22. The one year contract seems a little short with only 2 one-year options. What is the reasoning? We can live with it, but it puts us on the edge again in 12 months. I hope you understand.**

If the Concessionaire is not in default of the permit, the term may be extended for two (2) one-year option periods. Since this is the first year of the program, the City will be evaluating the terms for quality control.

- 23. Can 1 operator submit more than one proposal?**

Only one proposal per operator will be accepted, although, as stated in question #17, within the operating plan, the proposer may submit more than one option for example, "Option A" and "Option B".

- 24. What safety concerns are there in regards to this 15 Kayak cap if the company is able to address these concerns, can they get a waiver for larger groups?**

On page 2 of Exhibit C the maximum number of tour participants and student to instructor ratios are outlined. As part of your RFP, you may request consideration for exceptions. In doing so, you are encouraged to provide a plan that anticipates impacts and provides mitigation.

- 25. If we have a group of 40 for a tour, can we get a special permit to take them all out a once on a Sat or Sun?**

On page 2 of Exhibit C the maximum number of tour participants and student to instructor ratios are outlined. As part of your RFP, you may request consideration for exceptions. In doing so, you are encouraged to provide a plan that anticipates impacts and provides mitigation.

- 26. Please explain how percentage rents will be paid. (8%) is due when? I assume we pay the minimum & calculate the % after a period of time. When is the difference due?**

Rent will be paid monthly in arrears.

The rent due is the greater of the minimum vs. percentage. If the percentage rent exceeds the minimum then you pay percentage rent. If the percentage rent is less than the minimum, then you only pay the minimum.

A simple way to keep track is to keep a running total of monthly payments year-to-date. When the total payments exceed the yearly minimum then the remaining monthly payments should be based on percentage only.

In the example (below) if minimum annual rent is \$6,000 and the concessionaire has paid \$7,560 year-to-date, then only the percentage rent should be paid on a monthly basis for the rest of the lease year. Any overpaid rents at the end of the lease term are credited toward the next monthly payment.

EXAMPLE

Lease Year	Income	8% of Kayak Tours	Actual Rent Paid	Running Total
Mar	6,000	480	500	500
April	6,000	480	500	1,000
May	12,000	960	960	1,960
June	20,000	1,600	1,600	3,560
July	20,000	1,600	1,600	5,160
Aug	30,000	2,400	2,400	7,560
Sept	20,000	1,600	1,600	9,160
Oct	5,000	400	400	9,560
Nov	0	0	0	9,560
Dec	0	0	0	9,560
January	5,000	400	400	9,960
Feb	2,000	160	160	10,120
Totals	\$126,000	10,080	10,120	(\$40) Credit