

FAIR _____

TWO-TIER CARNIVAL RFP PACKAGE

RFP NUMBER _____

Contact Person: _____

Telephone No: _____

This person is the only authorized person designated by the fair to receive communication concerning this RFP.

Please do not attempt to contact any other person concerning this RFP.

Oral communication from fair officers and employees concerning the RFP shall not be binding on the fair, and shall in no way excuse the bidder of obligations as set forth in the RFP. Only questions concerning the technical requirements of the RFP will be answered concerning this RFP.

Date Issued: _____

PART I

DEFINITIONS

BIDDER The individual, company, or organization or business entity submitting the proposal in response to the Request for Proposal.

**EVALUATION
& SELECTION
COMMITTEE** Hereinafter referred to as "Committee" Committee chosen by the fair to evaluate and score proposals received.

F&E Refers to the *Division of Fairs and Expositions*, Department of Food and Agriculture, which is a division of the agency of the State of California overseeing the activities of fairs. F&E is located at:

1010 Hurley Way, Suite 200
Sacramento, CA 95825

DGS Refers to the *Department of General Services*, State of California, located at:
707 Third Street
West Sacramento, CA 95605
Attention: Office of Legal Services

**PASSING
BIDDER** The term "passing bidder" as it is used in this document refers to the bidders who are awarded at least the minimum number of points by the Committee on Tier One, the technical portion of the proposal. No bidder's financial proposal will be opened and considered if they have not received sufficient points to be deemed a passing bidder.

RFP Request For Proposal

TIER 1 The technical portion of the proposal: Document 1, Technical Proposal"

TIER 2 The financial portion of the proposal: Document 2, Financial Proposal Bid" Form

PART II

GENERAL INFORMATION

A. REQUEST FOR PROPOSALS (RFP)

The Board of Directors of the _____ in releasing this RFP intends to award a contract for a period of _____ for the purpose of carnival operation during _____.

B. BIDDER RESPONSIBILITY

Read the documents very carefully, as the fair shall not be responsible for errors and omissions on the part of the bidder. Carefully review final submittal as reviewers will not make interpretations or correct detected errors in calculations.

C. DELIVERY OF PROPOSALS

Proposals must be physically received prior to the closing times and at the place stated below, in the format specified below and as more particularly described in Part VI, Section B, Failure to timely submit your proposal shall result in an automatic rejection. Failure to meet any of the below requirements or any of those identified in Part III, Section A, Paragraph 4 may result in a rejection, or a reduction in points during the scoring process. Please see Part III, Section A, Paragraph 4 for more detail regarding automatic and discretionary rejections. ***Unless otherwise stated, faxes are unacceptable.***

Proposals must meet the following format requirements to be deemed responsive for fair consideration:

- One sealed package containing _____ copies of the technical proposal and labeled with the bidder's name, the RFP number, and "Technical Proposal, Tier 1". (For additional details, see Part VI, B.1.)
- One sealed package containing _____ copies of the financial proposal bid form and labeled "Financial Proposal Bid Form, Tier 2". (For additional details, see Part VI, B.2.)

Both sealed packages must be placed in a third package with the bidder's name on the outside, the RFP number, and addressed as follows:

D. CONTRACT AWARD

If the proposal is not automatically rejected as described in Part II, Section C, then each bidder's technical proposal is evaluated and scored by the Committee who utilizes the score sheet included in Part V. Proposals scoring the required minimum number of points or more will be considered "passing", and progress to the second tier. Subsequently, the "Financial Proposal Bid Form" accompanying all passing technical proposals will be opened and Small Business Preference given where applicable.

If a contract is awarded, it shall be granted to the passing responsible bidder who submits the _____ financial proposal. Prior to the Board awarding a contract, the Fair shall post a "**Notice of Proposed Award**" at the administration office for five (5) working days. In addition, a copy of the notice will be mailed to each bidder. Upon the expiration of the five-day posting period (close of business on the fifth working day), if no protest has been filed, the contract is awarded. If a protest is filed prior to the contract award, the contract shall not be awarded until the protest has been withdrawn by the bidder or rejected by the Department of General Services.

E. TENTATIVE SCHEDULE

RFP Released	_____
Proposals due at Fair's Administration Office no later than _____ p.m.	_____
Interview, if necessary, to clarify proposals* (interviews are not public; may be recorded)	_____
Financial offer opened	_____
"Notice of Proposed Award" posted & mailed	_____
Date award final – no protests may be filed after this time	_____
Proposed contract commences	_____
_____	_____

* For county fairs and citrus fruit fairs, bidders must be provided with the opportunity for an interview.

F. SMALL BUSINESS PREFERENCE (APPLIES ONLY IF FAIR IS A DISTRICT AGRICULTURAL ASSOCIATION)

State law allows [certified](#) small business (SB) and microbusiness (MB) firms and non-small businesses who subcontract with a certified SB/MB firm(s) to receive a 5% bidding preference on applicable state solicitations. The effect of the preference is to help SB's/MB's be more competitive in the bid process, thereby enhancing state contract awards directly or indirectly to SB/MB. The preference is only used for computation purposes to determine the winning bidder, the actual bid amount.

If you are claiming the 5% small business preference and are a SB or MB, or if your application is on file with Office of Small Business and DVBE Services (OSDS), or if you are claiming the preference as a non-small business subcontracting with certified SB/MB (s), see PART VI of this RFP for instructions regarding what to submit with your proposal in order to receive the preference.

Certification Application

To apply, access our online [Small Business Certification Application](#) (STD. 813), or to receive your hard-copy form by mail, e-mail osdchelp@dgs.ca.gov or call (800) 559-5529 or (916) 375-4940.

Your **complete** certification application package must be received by the OSDS no later than 5 p.m. of the bid due date. Your certification effective date will be the date the application is properly received and deemed **complete** by the OSDS. Incomplete application submittals will delay your certification status and may result in the loss of your 5 percent preference eligibility. For more information, email osdchelp@dgs.ca.gov or call (916) 375-4940.

You may **mail, hand-deliver or express-mail** your package to:

Office of Small Business and DVBE Services (OSDS)
ATTN: BDD Unit
707 3rd Street, 1st Floor, Room 1-400
West Sacramento, CA 95605

G. BIDDER/CONTRACTOR STATUS FORM

All *bidders* must complete, sign and submit the form in response to the RFP. Failure to comply will deem the bidder non-responsive. The Fair reserves the right to verify the information on the “**Bidder/Contractor Status**” form at the time of the bid. If the bidder is a corporation, the form must include the title of the person signing, i.e., corporate officer status, and a copy of the corporate resolution authorizing the signing of the form must be attached. If a partnership, the signing partner must indicate whether a limited or general partner.

H. CALIFORNIA FAIR SERVICES AUTHORITY (CFSA) CARNIVAL MASTER INSURANCE LIST

No carnival operator will be eligible to be awarded a contract with the fair unless said operator has submitted required insurance documents to CFSA and been approved for placement on the CFSA Carnival Master Insurance List prior to the bid due date; or alternatively, submitted all required insurance documentation for operation at this particular fair to CFSA well in advance of the fair’s proposal due date, to ensure that these documents are reviewed and approved. The carnival operator awarded the contract shall ensure that they are on the CFSA Carnival Master Insurance List or have CFSA approval of the required insurance documentation for each year of the contract prior to carnival set up, during fairtime operation, and during carnival take down. For information on the carnival Early Qualification List process, contact the Division of Fairs and Expositions at (916) 263-2955.

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I. **HISTORY AND GENERAL BACKGROUND INFORMATION**

(Provided to assist the bidder in responding).

PART III

RULES GOVERNING COMPETITION & TECHNICAL EVALUATION

A. RFP REQUIREMENTS AND CONDITIONS

1. Errors

If a bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the fair shall be immediately notified of such error in writing addressed to the contact person listed on the cover page and request modification or clarification of this document.

Modifications by the Fair, if any, will be made in writing by way of an addendum issued pursuant to paragraph 2., below.

Clarifications by the Fair, if issued, will be given by written notice to all parties to whom the Fair had sent notice of the RFP and to persons or entities who have requested to be given notice of any modification or notices.

2. Addenda

If necessary, the fair will modify the RFP prior to the date set for submission of final proposals, by issuance of an addendum to all parties who have been furnished notice of the RFP for bidding purposes.

All bidders should inquire from the contact person listed on the cover sheet whether any addenda have been issued prior to submitting a proposal in response to the RFP.

3. Definitions

The use of "shall", "must" or "will" indicates a ***mandatory*** requirement or condition in this RFP. Failure to include such mandatory requirements or conditions will result in the disqualification of a proposal.

The words "should" or "may" indicate a ***desirable*** attribute or condition, but are permissive in nature and may affect the score the proposal receives.

4. Grounds for Rejection of the Proposal

A proposal **shall** be rejected if:

It is received at any time after the exact time and date set for receipt of bids as stated in Part II.

The firm has submitted multiple bids in response to this RFP without formally withdrawing other bids.

A proposal **may** be rejected if:

It is not prepared in accordance with the required format or information is not submitted in the format required by this RFP.

It contains false or misleading statements or references that do not support attributes or conditions contended by the bidder. (The proposal **shall** be rejected if, in the opinion of the fair, such information was intended to mislead the fair in its evaluation of the proposal and the attribute, condition or capability of requirement of this RFP.)

It is unsigned.

5. Right to Reject Any or All Proposals

It is the policy of the fair not to solicit proposals unless there is a bona fide intention to award a contract. However, the fair reserves the right to reject any or all proposals or to cancel the RFP at any time during the process.

6. Protests

A bidder may file a protest against the awarding of the contract.

If the fair is a District Agricultural Association: The protest must be filed with the Fair and with DGS at:

Department of General Services (DGS)
707 Third Street
West Sacramento, California 95605
Attention: Legal Office

The protest *must* be received prior to the expiration of five (5) working days from notice of the proposed award being posted and, in no event, later than 5:00 p.m. on the fifth working day after notice of proposed award was posted in a public place at the Fair's Administration Office. Upon the expiration of this posting period, if no protest is filed, the contract is awarded.

IN ADDITION, within five (5) calendar days after filing the protest, the protesting bidder *shall* file with the fair and DGS Legal Office a fully detailed and complete written statement specifying the grounds for the protest.

PLEASE NOTE: *Failure to file (i) notice of protest by the conclusion of the fifth working day after notice of intention to award a contract has been posted and (ii) a complete detailed written statement within five (5) calendar days of filing the protest stating grounds for protest will result in the protester's protest being deemed untimely and grounds for protest waived. Protests shall be limited to the grounds contained in Public Contract Code, Section 10345.*

If the fair is a county fair or citrus fair: The protest must be filed according to their county or other procedures:

B. OTHER INFORMATION

1. **Disposition of Proposals**

All materials submitted in response to this RFP would become the property of the fair. All proposals, evaluations and scoring sheets shall be available for public inspection at the conclusion of the committee scoring process and announcement of intent to award. If an individual requests copies of these documents, the fair will assess a fee to cover duplicating costs. Documents may be returned only at the fair's option and at the bidder's expense. One copy of each bidder's proposal shall be retained for official fair files.

2. **Confidentiality of Proposals**

The fair will hold the contents of all proposals in confidence until issuance of the "Notice of the Proposed Award"; once issued and posted, no proposal will be treated as confidential.

3. **Modification or Withdrawal of Proposals**

Any proposal, which is received by the fair before the time and date set for receipt of proposals may be withdrawn or modified by written request of the bidder. However, in order to be considered, the modified proposals **must** be received by the time and date set for receipt of proposals in Part II.

A bidder cannot withdraw or modify a proposal after the due date and time for receipt of proposals and, further, a bid cannot be "timed" to expire on a specific date. For example, a statement similar to "This proposal and the cost estimate are valid for 60 days" is non-responsive to the RFP, and shall on that basis be rejected.

PART IV

STATEMENT OF WORK TO BE PERFORMED AND CONTRACT TERMS AND CONDITIONS

This part describes the work to be performed by the bidder who is awarded this contract and contains terms and conditions, which shall be deemed, incorporated and will become a part of any contract awarded pursuant to this RFP. ***If the fair is a District Agricultural Association, the contract awarded pursuant to this RFP will also contain the "Standard Contract Terms and Conditions" (SCTC), F-31 Form which will be incorporated and made a part of the contract.*** All terms and conditions are fixed and non-negotiable.

A. OPERATIONAL CARNIVAL

Contractor shall provide a fully operational carnival including quality rides, games, and food concessions.

1. Rides. Contractor shall provide the following rides:

a. _____ Spectacular Type Rides, such as:

b. _____ Major Type Rides, such as:

c. _____ Kiddie Type Rides, such as:

2. Substitutions: Contractor may provide substitute rides only with written permission of the fair.

3. Game Concessions: Contractor shall supply a minimum of _____ game concessions.

4. Food Concessions: Contractor shall supply a maximum/minimum (strike one) of _____ food concessions.

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5. Quality: For multi-year contract, the quality of the carnival is expected to improve, or at a minimum, stay the same.

B. **PERFORMANCE OF CONTRACT**

1. All rides, game concessions, and food concessions shall be maintained in good repair and available for operation during the hours the fair is open. In the event less than 95% of the contractor's proposed rides, game concessions, and food concessions are available for operation, contractor shall pay fair \$_____ per day as liquidated damages for each day that the contractor's level of operation falls below 95%. No liquidated damages will be assessed if the failure to operate is the result of a major power outage or act of God, or if such failure to operate is with the fair's consent.
2. Contractor **shall** ensure that the carnival operation maintains a clean and professional appearance.
3. All signs **shall** be professionally printed.
4. Contractor **shall** provide promotional programs, which fit into the theme and goals of the fair.

C. **SAFETY**

Contractor **shall** perform the carnival operation in a manner, which will ensure the safety of fair's employees and agents; contractor employees, agents, and sub-contractors; and the public.

D. **CARNIVAL OPERATION**

1. Carnival space available. Fair **shall** provide contractor with a plot plan showing the space available for carnival operation. Additionally, the following space shall be available for carnival operation:

Contractor **shall** arrange the assigned area for carnival operations so as to protect the public from any dangerous conditions.

Contractor **shall** establish procedures to ensure reasonable security of all rides, games, concessions, and equipment when not in use so that no attractive nuisance or negligent condition exists.

2. Carnival set-up and takedown. Contractor **shall** be solely responsible for the assembly, which may begin _____ days prior to the fairtime. Removal must be completed, including assembly, disassembly, and removal of all rides, games, attractions, and concessions no later than _____ days following the fairtime.
3. Daily hours of carnival operation. Carnival operations **shall** begin each day at _____ a.m., and cease at _____ p.m. All games, rides, and attractions shall open on time.
4. Ticket handling responsibility and procedures.

All attractions operated by the contractor under the executed contract **shall** require a specific admission price, which can be translated to an appropriate number of tickets. Each ticket must have a standard monetary value. The admission price for rides or games may not be less than the value of one ticket. Fair may audit ticket money at any time.

For contracts with financial based upon percentage of ride gross: The carnival contractor shall provide (or make available) all supporting documentation, such as, carnival ticket manifest and daily ticket sales report to the fair to ensure accountability over the carnival revenues. The fair reserves the right to review these records for accuracy. Furthermore, the carnival contractor shall be available after fairtime to meet with the fair to reconcile the carnival ticket sales and complete the final settlement.

5. Electrical power supplies, trash/garbage disposal, etc.
6. Availability of shows, RV parking, etc.
7. Limitations on sales/concessions

8. Authorized Representative of Contractor. Contractor **must** maintain at least one representative who is authorized to take immediate action upon any request of fair at all times that contractor's property is on the fairgrounds. This person must be identified to the fair as the contractor's authorized representative.

9. Carnival Management and Employees.
 - a. Concrete management philosophies, practices, and policies **shall** be used to ensure professional personnel actions during execution of the contract. Management shall operate in a manner that enhances the fair in the eyes of its patrons.
 - b. Contractor **shall** be responsible for its employees having the training required by the Division of Industrial Safety, Department of Industrial Relations.
 - c. During all carnival operating hours, an adequate number of experienced and professional personnel must be on duty.
 - d. The number of employees hired during carnival operations shall be sufficient to ensure that no carnival ride, game, or show will be without as minimum of one attendant at all times during scheduled hours of operation.
 - e. Employees who have regular public contact shall be attired in clean, uniform clothing.

10. Prohibitions.
 - a. Type, size of signs

 - b. Contractor **shall not**

Offer as prizes: live ducks, chicks, or other live animals (except goldfish), soft drinks in other than plastic containers, knives, firearms or any items which could be used as a weapon, lighters or any other smoking or drug paraphernalia.

\ Operate games of chance.

\ Sell beer.

\ Offer cash prizes or re-purchase prizes awarded in any game.

\ Other:

11. Inspection and Maintenance.

a. Contractor Inspection

Contractor **shall** perform mechanical and ride safety inspection (documented in writing, stating what was inspected, when, by whom, and the findings) immediately upon the completion of one-third and two-thirds of the total anticipated number of hours of operation.

b. Fair Inspection

The fair manager, and/or designee, may perform the following monitoring and inspection activities.

Fair may elect to perform carnival ride and equipment safety inspections (safety inspections) at any time fair deems appropriate. Fair may determine, in its sole discretion, the basis of and the criteria to be used in performing safety inspections. To the extent deemed appropriate by fair in its sole discretion, safety inspections will include the inspection of any books and records of the contractor. Any remedial work requested by fair as a result of a safety inspection must be satisfactorily completed by contractor as a prerequisite to the operation or further operation of the affected carnival ride or equipment. Neither the right to perform safety inspections nor the performance of safety inspections shall impose any responsibility on fair regarding the condition of the carnival rides or the equipment operated by the contractor, or relieve the contractor from responsibility for insuring that all carnival rides and equipment are safe and in good working order.

c. Maintenance Procedures

Maintenance procedures during fair time for carnival grounds, equipment, and attractions shall be established to include routine contractor inspection by supervising personnel with such frequency to ensure no unsightly conditions (e.g., litter, trash accumulation, marred surfaces of any kind on contractor or fair property within the defined carnival area) exist.

Contractor will maintain clean, attractive brightly lit rides. Contractor will provide ride report maintenance records to fair upon request.

12. Insurance, Licenses, Permits

All insurance, licenses and permits which are required under the contract documents or for placement on the "CFSA Carnival Master Insurance List", or by local law or ordinance must be current and valid at all times during the performance of the contract. All rides, games, and concessions which contractor proposes to operate on fair's premises **must** be properly licensed and/or permitted prior to carnival operations.

13. The following items are costs to fair management and will be charged to the contractor:

PART V

EVALUATION, SELECTION, AND SCORING PROCESS

Each proposal shall be evaluated for responsiveness to the fair's needs as described in this RFP. This part describes the process the fair will follow when evaluating and scoring proposals and awarding the contract, if any is awarded, and contains the exact scoring criteria to be used. During the evaluation and selection process, the Committee may wish to interview a bidder for clarification purposes only. The bidder will not be allowed to ask questions concerning other bidders, but only to respond to clarification questions from the Committee. The bidder cannot change proposals after the time and date designated for receipt.

A. EVALUATION AND SECTION PROCESS

1. Following the deadline for receipt of proposals as stated in Part II, each proposal will be examined to determine if:
 - \ submittal (receipt) was by the deadline time and date; and
 - \ the physical format requirements were met.

This is not a public review.

2. Technical proposals that meet the submittal format requirements, as stated in the previous paragraph, will be submitted to the Committee for:
 - \ review of the technical proposal,
 - \ confirmation the information is presented in the format required by the RFP, and
 - \ all required documentation is included and correct.

Proposals that do not present the information in the format required may be rejected as non-responsive.

This is not a public review.

3. The fair reserves the right to verify any reference and employment experiences referenced or disclosed in this proposal or to ascertain the accuracy of information presented. Misinformation or inaccuracies are grounds for disqualification, or receipt of a lower score.
4. The Committee will evaluate each proposal that meets the format requirements of preceding paragraph two, and assign points for the technical proposal.

This is not a public review.

5. The Committee may request interviews of the bidder for clarification of proposals (***For county fairs and citrus fairs, bidders must be provided with the opportunity for an interview.***) Following any interviews, the proposals may be re-scored.

This is not a public review.

6. In order to obtain the average score for each bidder, the total points of **each** reviewer will be added up for that bidder and the result divided by the number of people on the Committee. This score is then used to determine if the bidder has the minimum number of points to qualify for the second tier.
7. The "Financial Proposal Bid Form" of those responsible qualified bidders achieving the required minimum points will then be opened. *If fair is a District Agricultural Association, certified small business bidders shall be granted a preference of 5 percent (see Small Business Preference information in Part II).*
8. Selection of the bidder is based on the financial proposal bid form of the qualifying technical proposals as described in Part II.
9. In the event of a tie in determining the successful bidder, the tie will be broken by a toss of a coin by a member of the Committee and in the presence of authorized representatives of the tied bidders.
10. All bidders will be notified of the results.

B. SCORING PROCESS, CRITERIA AND ITEMS SCORED

Bidders receiving a score of _____ points or more on the “Technical Proposal”, Tier 1, will be deemed qualified and their “Financial Proposal Bid Form”, Tier 2, will be reviewed. ***If a bidder does not receive the minimum number of points, as stated above, that bidder will not be deemed qualified and the bidder’s financial proposal will not be opened nor reviewed.*** The following information must be provided by the bidder in order for the RFP to be scored.

SCORE

1. **Quality and quantity of rides, games, shows, and other concessions** **20**

-Provide descriptions and/or photographs of rides, games, shows, and concessions..... (10)

-Provide completed Exhibits A, A-1, A-2, and A-3 listing rides, games, shows, concessions and equipment proposed for this fair .. (10)

2. **Current operation/management philosophies and polices** **10**

-Provide a copy of personnel manual and applicable policies or statement of it..... (5)

-Provide statements relative to public relations policies, handling of customer complaints, employee hiring practices, games, rides, shows, and concession pricing policies, etc..... (5)

3. **Promotions (including, but not limited to advance ticket sales, pay one price day, discount rides on kids’ day)** **10**

-List and describe promotions that the carnival operator will provide for each year of the contract.

4. **Past experience and previous performance for the last two years** **30**

Compliance..... (10)

-Provide letters from fair managers (or list of fair names for which your carnival performed during the last two years) to indicate:

- () Daily timeliness of ride, game, and attraction opening
- () Frequency which rides and shows are not operating
- () Ride, game, and show general appearance
- () Lot cleanliness
- () Personnel cleanliness
- () Proper posting of information, and signage

Timeliness of Payments (10)

- Provide letters from fair managers (or list of fair names for which your carnival performed during the last two years) to indicate timely payments of funds to previously contracted fairs
- Provide statement indicating whether or not you have any outstanding financial obligations for any California fairs

Financial References..... (10)

- Provide letters from three financial reference (banks, credit organizations, rides, manufacturers, major suppliers, etc.) That you have done business with during the last two years.

5. **Safety**..... **30**

Significant Loss History/Loss Runs.....(18)

- Submit a current General Liability claims summary or loss run (dated within 60 days prior to proposal deadline) on official form from the insurance carrier, underwriter, or broker, showing all losses in excess of \$50,000 incurred by carnival during the last two years or more. This claims summary must be accompanied by a cover letter from the insurance carrier, underwriter, or broker (dated within 60 days prior to proposal deadline) specifying the carrier(s), policy number(s), policy term(s), named insured's, and the total number of claims listed on the claims summary. Where appropriate, include a separate discussion of any corrective actions taken following a loss (list date, location, and description of each loss or fatality discussed).

Current Safety Policies and Procedures.....(12)

- Describe carnival's current safety policies and procedures. Provide a copy of carnival's safety handbook and any other safety related documents that are provided to carnival employees. Describe carnival's employee safety training program.

PART VI
MANDATORY FORMAT AND CONTENT REQUIREMENTS

A. INTRODUCTION

This part provides instructions to the bidder regarding the mandatory proposal format and content requirements. The bidder must remember that:

- (All bids submitted must follow the proposal format instructions;
- (All information must be presented in the order and the manner requested;
- (All questions must be answered; and
- (All requested data must be supplied.

Proposals not following the required format will be deemed non-responsive and will be rejected.

B. PROPOSAL FORMAT AND CONTENT

Each proposal must be prepared as two (2) separate documents placed in two (2) separate sealed packages; both sealed packages are inserted into a third package. All packages need to be clearly labeled in the manner described Part II.

1. Tier 1, "Technical Proposal"

Information in the technical proposal is to be provided in the order requested beginning with the cover letter page. Each page is to be numbered at bottom, starting with the number 1; all pages should be 8-1/2 x 11 inch paper; and all narrative portions of the proposal should be typed.

The first page of the technical proposal must be a ***signed*** cover letter on the letterhead of the bidder and contain the following statement verbatim:

"Submission of this proposal signifies that all terms, conditions, requirements, protest procedures, performance measures and instructions concerning the award of the RFP to which this proposal responds, have been read and understood. Further, in signing this letter, as the authorized representative of the submitting bidder, it is expressly agreed by the bidder that failure to have provided accurate and truthful information in this proposal or any deviation from any requirement or performance measure stated in the RFP shall constitute grounds for rejection of this proposal. And further, bidder agrees that if the submitted proposal is not in the format of the RFP, bidder's proposal will be deemed non-responsive."

The person's name must be printed clearly below the signature line, and then signed on the signature line and dated. If bidder fails to submit this document, and it is not signed and dated, the proposal will be reject as being non-responsive.

Table of Contents:

- (One (1) completed "Declaration of Carnival Operator" form
- (One (1) completed (by subcontractor) "Subcontractor's Certification" form for each subcontractor that the carnival operator proposes to use to supply any rides or concessions, if applicable
- (Small Business Preference Documentation, if applicable, and if the fair is a DAA:

One (1) copy of the small business certification letter, if bidder is claiming the Small Business Preference and has already received certification letter,

Or, if application for the preference has been submitted to OSDS a sheet of paper stating that the application has been submitted to OSDS and the date submitted.

Or, if claiming the preference as a non-small business subcontracting with certified SB/MB (s), a sheet of paper listing the small businesses you commit to subcontract with for a commercially useful function in the performance of the contract. The list of sub-contractors shall include the subcontractors':

1. Name
2. Address
3. Phone Number
4. Description of work to be performed
5. Dollar amount or percentage per subcontractor

Also include the sub-contractor's certification or indicate if application(s) are on file with OSDS.

- (Bidder must provide all information/documentation requested in Part V, B.

2. Tier 2, "Financial Proposal Bid" Form

The "Financial Proposal Bid" Form **must** be completed and signed.

PART VII
FORMS SECTION

FORMS TO BE COMPLETED AND SUBMITTED BY BIDDER

- ↳ “Declaration of Carnival Operator” form
- ↳ “Financial Proposal Bid” Form
- ↳ Exhibit A, “Adult Rides and Shows”
Exhibit A-1, “Kiddie Rides and Shows”
Exhibit A-2, “Game and Food Concessions”
Exhibit A-3, “Other Equipment to be Provided”

**FORMS TO BE COMPLETED BY SUBCONTRACTOR IF APPLICABLE, AND
SUBMITTED BY BIDDER**

- ↳ “Subcontractor’s Certification” form
- ↳ “Financial Proposal Bid” Form

DOCUMENTS TO BE COMPLETED BY DAA

- ↳ “Notice of Proposed Award” (after proposed award is determined)

DOCUMENTS THAT ARE PART OF THE CONTRACT TO BE AWARDED

- ↳ “Rental Agreement”, F-31 (for District Agricultural Associations)
- ↳ “Standard Contract Terms and Conditions” (SCTC), F-31 Form
(for District Agricultural Associations)

Note to Fair: Choose one of the three following financial proposal documents to use. Remove this page and the other two financial proposal documents from the RFP package.

FINANCIAL PROPOSAL BID FORM
CARNIVAL - TWO TIER
PERCENTAGE VS. GUARANTEE

INFORMATION:

Money offers will be accepted based on the contractor paying the fair a percentage of the gross receipts from the operation of rides and shows (not less than _____%), a flat rate for each food concession (not less than \$_____, and flat rate for each game concession (not less than \$_____). The total sum to be paid to the fair per year shall not be less than a stated guarantee (guarantee shall not be less than \$_____). Award to be made to the qualified bidder with the highest total sum offer after small business preference has been added where applicable.

FORMULA:

Total amount to be paid to the fair based for each year on: (_____*) multiplied by the offered percentage, plus the rate offered to the fair per food concession multiplied by the number of concessions offered, and the rate offered to the fair per game concession multiplied by the number of concessions offered, versus the guarantee will constitute the financial offer.

Example:

2006 [(_____*) multiplied by the proposed percentage], plus [amount to be paid per food concession multiplied by the number of concessions offered, and amount to be paid per game concession multiplied by the number of concessions offered] versus the guarantee (whichever is greater) = 2006 offer.

2006 offer
+ 2007 offer
+ 2008 offer
+ 2009 offer
+ 2010 offer
=Total Financial Offer

PROPOSAL:

Bidder offers to pay the following to the fair:

Year

20____: ____% of ride gross
+
\$_____per each food concession
\$_____per each game concession
vs. \$_____guarantee

20____: ____% of ride gross
+
\$_____per each food concession
\$_____per each game concession
vs. \$_____guarantee

20____: ____% of ride gross
+
\$_____per each food concession

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\$ _____ per each game concession

vs. \$ _____ guarantee

20 ____ : ____ % of ride gross

+
\$ _____ per each food concession

\$ _____ per each game concession

vs. \$ _____ guarantee

20 ____ : ____ % of ride gross

+
\$ _____ per each food concession

\$ _____ per each game concession

vs. \$ _____ guarantee

* _____ is the average of the last three years ride gross, and is used for computational purposes only. Actual future ride gross will vary.

All bidders must fill in the following information and sign this form in order for the "Financial Proposal Bid Form" to be considered.

FIRM NAME

TELEPHONE NUMBER

ADDRESS

CITY/ZIP CODE

Bidder certifies to the fair that bidder has thoroughly familiarized he/herself with the fair facilities and accepts all reasonable disclosed risks in submitting this proposal that a prudent review of the facility would have revealed.

By signing this "Financial Proposal Bid Form", the bidder certifies that he/she has read and understood the RFP package including the information regarding bid protests. Further, bidder certifies that the information provided by the bidder is accurate, true and correct, and not intended to mislead the fair in any manner.

SIGNATURE

TITLE

FINANCIAL PROPOSAL BID FORM

CARNIVAL - TWO TIER FLAT DOLLAR OFFER

INFORMATION:

Money offers will be accepted based on the contractor paying the fair a flat dollar amount per year. The total sum to be paid to the fair per year shall not be less than \$ _____. Award to be made to the qualified bidder with the highest total sum offer after small business preference has been added where applicable.

FORMULA:

Total amount to be paid to the fair based on the flat dollar amount offered per year will constitute the financial offer.

Example:

	2006 offer
+	2007 offer
+	2008 offer
+	2009 offer
+	2010 offer
=Total Financial Offer	

PROPOSAL:

Bidder offers to pay the following to the fair:

<u>Year</u>	<u>Amount</u>
20__:	\$ _____
20__:	\$ _____
20__:	\$ _____
20__:	\$ _____
20__:	\$ _____

All bidders must fill in the following information and sign this form in order for the "Financial Proposal Bid Form" to be considered.

FIRM NAME

TELEPHONE NUMBER

ADDRESS

CITY/ZIP CODE

Bidder certifies to the fair that bidder has thoroughly familiarized he/herself with the fair facilities and accepts all reasonable disclosed risks in submitting this proposal that a prudent review of the facility would have revealed.

By signing this "Financial Proposal Bid Form", the bidder certifies that he/she has read and understood the RFP package including the information regarding bid protests. Further, bidder certifies that the information provided by the bidder is accurate, true and correct, and not intended to mislead the fair in any manner.

SIGNATURE

TITLE

FINANCIAL PROPOSAL BID FORM

CARNIVAL - TWO TIER PER CAP VS. GUARANTEE

INFORMATION:

Money offers will be accepted based on the contractor paying the fair for each paid admission (not less than \$_____ per paid admission), a flat rate for each food concession (not less than \$_____, and flat rate for each game concession (not less than \$_____). The total sum to be paid to the fair per year shall not be less than a stated guarantee (guarantee shall not be less than \$_____). Award to be made to the qualified bidder with the highest total sum offer after small business preference has been added where applicable.

FORMULA:

Total amount to be paid to the fair based for each year on: (_____*) multiplied by the offered amount per paid admission, plus the rate offered to the fair per food concession multiplied by the number of concessions offered, plus the rate offered to the fair per game concession multiplied by the number of concessions offered, versus the guarantee will constitute the financial offer.

Example:

2006 [(_____*) multiplied by the proposed amount per paid admission], plus [amount to be paid per food concession multiplied by the number of concessions offered], plus [amount to be paid per game concession multiplied by the number of concessions offered] versus the guarantee (whichever is greater) = 2006 offer.

	2006 offer
+	2007 offer
+	2008 offer
+	2009 offer
+	2010 offer
=Total Financial Offer	

PROPOSAL:

Bidder offers to pay the following to the fair:

Year

20____: \$ _____ per paid admission
 +
 \$ _____ per each food concession

 \$ _____ per each game concession

 vs. \$ _____ guarantee

20____: \$ _____ per paid admission
 +
 \$ _____ per each food concession

 \$ _____ per each game concession

 vs. \$ _____ guarantee

20____: \$ _____ per paid admission
 +
 \$ _____ per each food concession

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\$ _____ per each game concession

vs. \$ _____ guarantee

20 ____ : \$ _____ per paid admission

+
\$ _____ per each food concession

\$ _____ per each game concession

vs. \$ _____ guarantee

20 ____ : \$ _____ per paid admission

+
\$ _____ per each food concession

\$ _____ per each game concession

vs. \$ _____ guarantee

* _____ is the average of the last three years paid admission and is used for computational purposes only. Actual future amounts will vary.

All bidders must fill in the following information and sign this form in order for the "Financial Proposal Bid Form" to be considered.

FIRM NAME

TELEPHONE NUMBER

ADDRESS

CITY/ZIP CODE

Bidder certifies to the fair that bidder has thoroughly familiarized he/herself with the fair facilities and accepts all reasonable disclosed risks in submitting this proposal that a prudent review of the facility would have revealed.

By signing this "Financial Proposal Bid Form", the bidder certifies that he/she has read and understood the RFP package including the information regarding bid protests. Further, bidder certifies that the information provided by the bidder is accurate, true and correct, and not intended to mislead the fair in any manner.

SIGNATURE _____

TITLE _____