**RFP 23-07**

**CITY OF ALEXANDER CITY, ALABAMA**

**PARKS AND RECREATION**

**MASTER BEVERAGE CONTRACT**

The City of Alexander City, Alabama is seeking request for proposals for a beverage supplier for all Parks and Recreation facilities, per the attached terms and conditions. A full copy of the RFP and addendums may be obtained at [<https://alexandercityal.gov/rfps>]. Proposals must be submitted in writing to the Alexander City Clerk’s office no later than January 31th, 2023. All proposals must state “RFP 23-07” and opening date on the outside of the envelope. Proposals must be mailed or hand delivered to the address below. No proposals will be allowed to be submitted via fax or email.

Pre-Qualifications: There are no prequalification’s for this bid.

**ADDRESS ALL RETURN ENVELOPES TO:** CITY OF ALEXANDER CITY

CITY CLERK’S OFFICE

281 JAMES D NABORS DR

ALEXANDER CITY, ALABAMA 35010

**SOLICITATION SCHEDULE**

Public Notice of Bid: January 10th, 2023

Question Submission Deadline: January 25th, 2023 5:00pm CST

Bid Due Date: January 31st, 2023 2:00pm CST

Evaluation Period: February 1st – 3rd, 2023

Anticipated Award Date: February 6th, 2023

**Contract Terms and Conditions**

**Contract Term:** The term of the contract shall be for a period of three years from the award date. The contract shall automatically renew for a second consecutive three-year period with the same terms and conditions unless either party desires to cancel the contract. To cancel the contract, either party must notify the other with the intention to end the contract no later than 90 days prior to the expiration of the contract term. The start date of the contract shall begin on the date of the bid approval by the awarding authority. The anticipated award date for this contract is February 6th, 2023.

**Payment Terms:** Vendors must provide the City of Alexander City with Net 30 payment terms from the date of delivery. Invoice shall be submitted no later than ten working days after delivery. Invoices should be submitted by email to [AP@alexandercityal.gov](mailto:AP@alexandercityal.gov) .

**General RFP Information:** The City of Alexander City is seeking proposals for a beverage supplier for all Parks and Recreation facilities. This agreement shall govern the direct or concessionaire beverage sales at all sporting events, tournaments, festivals and seasonal events hosted by or at Parks and Recreation facilities.

For the purpose of this contract, the definition Parks and Recreations facilities shall include all grounds, parking lots, road ways, playgrounds, community centers, sporting fields and related facilities at the following:

* Charles E Bailey Sportplex
* Cooper Recreational Facility
* Municipal Golf Course
* Strand Park
* Alexander City Soccer Complex
* Alexander City Municipal Pools
* Alexander City Municipal Boat Ramp

This agreement shall not govern the facilities operated by other City departments or the Municipal Complex. However, the City reserves the right to purchase additional products for use at any facility or sponsored event that it so chooses. The purchase will be made in accordance with the vendor’s current trading price.

The awarded vendor shall have the exclusive advertisement rights at all the above Parks and Recreation facilities.

The City is requesting the following incentives be addressed in the vendor’s proposal: (Please use yellow highlights for these items in your proposal)

* Delivery and installation of dispensing equipment, vending machines, fountain equipment, coolers and additional accessories. The equipment should be provided free of cost to the City.
* Marketing Fees to be paid to the City on an annual basis.
* Rebates to be based on a set amount on a per case.
* Scoreboards
  + Purchase, installation, service and repair of two basketball scoreboards in 2024.

Sample contract should be included with the submittal of the RFP.

Additional contractual terms will be permitted.

The City of Alexander City will publicly open and read aloud all proposals on the date and time listed on the above solicitation schedule. Proposals are to be opened by the City Clerk at City Hall located at 281 James D Nabors Dr, Alexander City, Alabama. Bidders and authorized representatives are invited to be present at any bid opening.

After the opening, the proposals shall not be modified in a way that would exclude or prevent a vendor from being eliminated or excluded from the process. Prices and notations should be in ink or typewritten on the form provided by the owner. All bid prices must be fully extended.

All proposed contract services shall be firm for a minimum of 90 days after the opening date.

The City of Alexander City prefers vendors that provide a sole source responsibility for all products and services provided under a resulting contract. If the proposer requires the use of a third-party dealer, reseller or subcontractors to provide products or services, the proposer shall list the third party to be used and address how the products or services will be delivered.

All prices must be firm for the full term of the contract.

In accordance with the State of Alabama Law, a 3% variance consideration may be given to those vendors located within the City of Alexander City, City Limits and Police Jurisdiction.

All Federal, State, and Local License and Fee requirements will be applicable.

Bidders must be enrolled and in full compliance with the E-Verify Program and all requirements of Alabama Immigration law, Act 2011-535 (also referred to as the “Beason-Hammon Alabama Taxpayer and Citizen Protection Act”, or H.B. 658), as amended by Act No. 2012-491, including in part and effective January 1, 2012.

Proposers shall state if an indemnity clause will be required of the City by the successful bidder. Proposers shall include a sample of any indemnity clause which may be required to be signed. Type of indemnity may be justification for rejection of the proposal.

By Section 41-16-5, Code of Alabama 1975, with the submittal of a bid, the prospective vendor represents and agrees that it is not currently engaged in, nor will it engage in, any boycott of a person or entity based in or doing business with a jurisdiction with which the State of Alabama can enjoy open trade.

If the vendor employs any persons in the State of Alabama, in accordance with Section 31-13-9, Code of Alabama 1975, Proposers shall demonstrate proof of enrollment in the E-verify program by completing the enclosed E-verify affidavit or providing some other proof of enrollment. If the proposer employs persons (anywhere), the award of the bid is condition on the bidder not knowingly employing, hiring for employment or continuing to employ an unauthorized alien within the State of Alabama. Upon awarding of the contract where a written contract is to be signed, the contract will contain a provision whereby the bidder promises not to violate Federal Immigration Law.

**Questions and Communications Regarding this Proposal**

All communications must be in writing, sent by email to Kasey Kaschak, Parks and Rec Director [[jackson.hatton@alexandercityal.gov](mailto:jackson.hatton@alexandercityal.gov)], Miles Hamlett, Purchasing Director [[miles.hamlett@alexandercityal.gov](mailto:miles.hamlett@alexandercityal.gov)], and Stephanie Southerland, Alexander City Clerk [[stephanie.southerland@alexandercityal.gov](mailto:stephanie.southerland@alexandercityal.gov)] . The subject line of the email must include RFP 23-07. All questions must be received no later than January 25th, 2023 at 5:00pm CST.

A running response to all vendors’ questions will be provided as an addendum. The addendum can be found on the City’s website at [<https://alexandercityal.gov/rfps>].

**Evaluation**

The award will be made to the Bidder whose proposal conforms to all conditions and requirements within the specifications of this bid. In addition, the City of Alexander City reserves the right to consider the following during the evaluation period:

(a) Award bids by Lump Sum or individual items unless otherwise noted by bidder. NOTE: No purchase will be made on Lump Sum awards until individual unit prices are furnished.

(b) Award the bid to the lowest or best bidder, as determined by the Owner to be in the best interest of The City of Alexander City. Life cycle/maintenance costs will be taken into consideration.

(c) Reject any or all bids and to waive technicalities when in the opinion of the City of Alexander City the best interest of The City of Alexander City will be served.

(d) Make null and void the purchase order with the successful bidder if delivery cannot be made at the specified time.

(e) In accordance with the State of Alabama Law, a 3% variance consideration may be given to those vendors located within the City of Alexander City, City Limits and Police Jurisdiction.

(f) Ability to deliver goods and services in a timely manner.

(g) Warranty

(h) Suitability for use by the owner.

**RFP 23-07**

**CITY OF ALEXANDER CITY, ALABAMA**

**PARKS AND RECREATION MASTER**

**BEVERAGE CONTRACT**

**VENDOR INFORMATION AND CHECKLIST**

Proposer (Vendor or Contractor) Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

State, Zip Code: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-verify Affidavit Complete Y or N \_\_\_\_\_ / Proof of E-verify Enrollment Included Y or N \_\_\_\_\_

Trade References Provided Y or N \_\_\_\_\_

(If you are a new Vendor for Alexander City, please fill out the trade reference form.)

Proof of General Liability Insurance Included Y or N \_\_\_\_\_

($1,000,000.00 Minimum)

Will be able to make delivery within \_\_\_\_\_\_\_ days of receipt of order.

Technical Literature of Product(s) Proposed Included Y\_\_\_\_\_ or N \_\_\_\_\_

Does the proposal address items outlined in the general proposal guidelines? \_\_\_\_ Y/N If no, please highlight and provide documentation detailing the reason for the deviation from the specifications.

Non-Collusion Statement: By signing this bid form the bidder certifies that this bid is made without reference to any other bid and without any agreement, understanding, collusion or combination with any other person(s) in reference to the bid.

Signature of Bidder Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STATE OF:

COUNTY OF:

AFFIDAVIT

Before me, the undersigned authority, personally appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(affiant) who, being by me first duly sworn, doth depose and say as follows:

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(name), on behalf of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(business entity), and with lawful authority to act in its behalf, attest to the following from personal knowledge:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (business entity) does not knowingly, hire for employment, or continue to employ any unauthorized aliens in the State of Alabama; and

2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (business entity) is enrolled in the E-Verify Program as shown by the attached documentation; and

3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (business entity) does and will utilize E-Verify Program to verify the employment status of employees and potential employees according to federal rules and regulations; and

4. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (business entity) shall acquire from its subcontractors notarized affidavits that they will not knowingly employ, hire for employment or continue to employ unauthorized aliens, that they will enroll in the E-Verify Program before performing any contract work or providing any product, and that they shall attach to the affidavits, documentation establishing their enrollment in E-Verify as required by Act No. 2011-535.

Signature of Affiant

I, the undersigned Notary Public, in and for said County and State, hereby certify that whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this date that, being informed of the contents of the above and foregoing affidavit, he/she as an officer of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (business entity) and with full authority, executed the same voluntarily for and as the act of said company on the day the same bears date.

Given under my hand and official seal of office this ­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_.

Notary Public

**TRADE REFERENCE FORM**

Name of Government Organization or Business: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Point of Contact: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State: \_\_\_\_\_\_\_\_\_\_\_\_ Zip: \_\_\_\_\_\_\_\_\_\_\_

Scope of Project(s) Completed or Description of Item(s) Sold:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Government Organization or Business: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Point of Contact: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State: \_\_\_\_\_\_\_\_\_\_\_\_ Zip: \_\_\_\_\_\_\_\_\_\_\_

Scope of Project(s) Completed or Description of Item(s) Sold:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Government Organization or Business: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Point of Contact: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State: \_\_\_\_\_\_\_\_\_\_\_\_ Zip: \_\_\_\_\_\_\_\_\_\_\_

Scope of Project(s) Completed or Description of Item(s) Sold:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_