



City of Newburgh City Comptroller's Office

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Newburgh, New York 12550

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Kathryn F. Nivins
Acting City Comptroller
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NOTICE

REQUEST FOR PROPOSALS (RFP #4.13) FOR THE OPERATION OF CARNIVAL RIDES, CONCESSIONS AND AMUSEMENTS FOR THE 25TH ANNUAL INTERNATIONAL FESTIVAL CITY OF NEWBURGH, NEW YORK

Request for Proposals (RFP) will be received by the Acting City Comptroller in her office at City Hall, 83 Broadway, 4th floor, Newburgh, New York until 4:00 p.m., Eastern Time, Wednesday, June 5, 2013 for the Operation of Carnival Rides, Concessions and Amusements for the City of Newburgh's 25th Annual International Festival.

Copies of the RFP may be obtained at the City Comptroller's Office in City Hall, downloaded from the City's website at <http://www.cityofnewburgh-ny.gov/comptroller/pages/bids-and-rfps> or by contacting Elizabeth Garrison, Administrative Assistant to the City Comptroller, via email at egarrison@cityofnewburgh-ny.gov. Vendors requesting the RFP by email must provide their complete contact information including physical street address, telephone and facsimile numbers as well as a contact person's name.

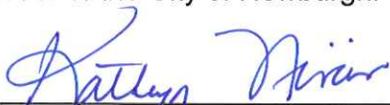
Responders are required to execute a Non-Collusive Bidding Certification pursuant to Section 103d of the General Municipal Law of the State of New York. Responses submitted without a Non-Collusive Bidding Certification will not be considered.

Responses to this RFP shall be delivered to the Acting City Comptroller by hand, mail or other courier type services and must be received on or before the specified due date and time. Facsimile or electronic mail submissions will not be accepted. **Vendors are responsible for timely delivery of their Proposals.** There will be no exceptions.

The City of Newburgh hereby notifies all prospective vendors that it will affirmatively insure that in regard to any Contract entered into pursuant to this Notice, minority business enterprises will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration of an award.

The City of Newburgh reserves the right to reject any or all Proposals and to waive any informality or technicality in any Proposal in the interest of the City. Contract award shall be subject to approval by the City Council.

By Order of the City of Newburgh:

By: 
Kathryn Nivins, Acting City Comptroller

Dated: Tuesday, May 21, 2013

"AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER"

Advertisement Date:	Hudson Valley Black Press:	Wednesday, May 22, 2013
	Mid-Hudson Times:	Wednesday, May 22, 2013
	Sentinel	Tuesday, May 21, 2013

REQUEST FOR PROPOSALS

CARNIVAL RIDES, CONCESSIONS AND AMUSEMENTS FOR THE 25TH ANNUAL INTERNATIONAL FESTIVAL

Overview: The City of Newburgh is seeking proposals from qualified carnival ride and amusement companies (hereinafter referred to as "Ride Company") to provide carnival rides, concessions and amusements services for the 25th Annual International Festival. This year, the International Festival will be held over the Labor Day weekend on the grounds of the former New York State Armory on South William Street located in the City of Newburgh. With numerous vendors and live entertainment scheduled, this festival typically draws several thousand people over the weekend.

The festival runs for four (4) consecutive days from Friday, August 30 through Monday, September 2, 2013. The festival will kick off Friday, August 30th beginning at 5 P.M. (Eastern Time) and ending its operation at 10 P.M. (Eastern Time) on Labor Day, Monday, September 2nd.

1.0 GENERAL:

- A. The City of Newburgh is exempt from Federal Excise Taxes and the New York State Sales Tax.
- B. Iran Divestment Act. By submission of a Proposal in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder (or any assignee) certifies that it is not on the "Entities Determined To Be Non-Responsive Bidders/Offerors Pursuant to The New York State Iran Divestment Act of 2012" list ("Prohibited Entities List") posted on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additionally, Vendor is advised that should it seek to renew or extend a Contract awarded in response to the solicitation, it must provide the same certification at the time the Contract is renewed or extended.

The City of Newburgh reserves the right to reject any Proposal from an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

The vendor's signature on the Proposal Information Form will be considered certification that the vendor is in compliance with all aspects of this regulation.

- C. Non-Collusion Bidding Affidavit. The City requires that a Non-Collusive Bidding Affidavit be submitted with all bids pursuant to its authority according to the Section 103-d of the State of New York Finance Law. This Non-Collusive Bidding Affidavit, made part of the Bid Form, must be executed in blue ink by the member, officer or employee of the bidder who makes the final decision on prices and the amount quoted in the bid.

Bid rigging and other efforts to restrain competition and the making of false sworn statements in connection with the submission of bids are unlawful and may be subject to criminal prosecution. The person who signs the Affidavit should examine it carefully before signing and assure himself or herself that each statement is true and accurate, making diligent inquiry, as necessary, of all other persons employed by or associated with the bidder with responsibilities for the preparation, approval or submission of the bid.

If a bid is submitted by a joint venture, each party to the venture must be identified in the bid documents, and a Non-Collusive Bidding Affidavit must be submitted separately on behalf of each party.

Failure to provide a Non-Collusive Bidding Affidavit in compliance with these instructions will result in disqualification of the bid.

2.0 SUBMISSION OF PROPOSALS:

- A. Qualified individuals and/or Ride Companies shall submit their original Proposal and one copy to Kathryn Nivins, Acting City Comptroller, City of Newburgh, 83 Broadway-4th Floor, Newburgh, New York, 12550, **on or before** 4:00 P.M., Eastern Time, Wednesday, June 5, 2013.
- B. Proposals shall be delivered to the City Comptroller at her office located in City Hall, 83 Broadway, 4th Floor, Newburgh, New York, 12550 by hand, mail or the other courier type services. Late submission will not be accepted.
- C. Proposals must be in a sealed envelope indicating the company name and the words "**RFP for International Festival**" **clearly marked** on the outer envelope. Facsimile or electronic mail submittals will **NOT** be accepted.
- D. The front cover of the Proposal shall clearly indicate firm name, address, telephone number(s), email address, if available, and the designated contact person's name.
- E. All signatures, with the exception of a Notary Public, must be signed in **blue ink**.
- F. Forms provided must be completed and submitted with Proposal in original form.

3.0 CONTENTS OF PROPOSALS:

Proposals shall contain and indicate compliance of the following information and shall be listed in said Proposal in the order read below:

- A. The Ride Company shall provide the City with a Proposal outlining the number and type of carnival rides, amusements and concessions to be provided during the 2013 International Festival.
- B. The Ride Company must secure and maintain all proper policies of insurance coverage, co-insuring the City of Newburgh, NY, in scope and amount satisfactory

to City; and, must be properly permitted by the Orange County Health Department and otherwise as required by law.

- C. The Ride Company shall provide amusements, concessions and carnival rides at no cost to the City of Newburgh.
- D. The Ride Company shall provide such amusements, concessions and carnival rides with their own source of power and electricity.
- E. The Ride Company shall propose to pay the City of Newburgh a set percentage of their entire proceeds over the entire and complete duration of the Festival in said Proposal.
- F. The Ride Company shall provide a set number of advertising posters at no cost to the City which shall be distributed by the City of Newburgh. The Ride Company shall propose the set number of posters in said Proposal.
- G. The Ride Company must supply tickets at no cost to the City of Newburgh.
- H. The Ride Company shall be fully responsible to provide all personnel.
- I. The Ride Company shall be responsible for maintenance and cleanliness of the immediate concession and amusement ride areas.
- J. The successful Ride Company **must** provide an accounting of the daily proceeds earned to the City of Newburgh **on a daily basis**.
- K. The successful Ride Company shall pay the City at the end of each festival evening the amount due to the City based on the accounting of proceeds earned and on the percentage proposed and awarded there from.
- L. Completed forms signed in **blue ink** by an officer of the Ride Company as provided in this RFP (see pages 6 and 7): Proposer Information Form and Non-Collusion Bidding Affidavit. These two (2) original documents **must be included** in the Proposal when submitted.
- M. Failure to comply with any of the stipulations specified in this RFP shall remove the Ride Company from consideration of any or all future City of Newburgh events.

4.0 TIME OF PERFORMANCE

A. Festival Setup and Tear Down

The successful Ride Company must begin setup at the former Armory no earlier than Wednesday, August 28, 2013 at 12 P.M., Eastern Time. The successful Ride Company must have all equipment removed from said location no later than 12 P.M., Eastern Time, on Wednesday, September 4, 2013.

B. Hours of Operation:

The successful Ride Company must have all personnel, rides and concessions ready to operate on the first day no later than 5 P.M., Eastern Time, on Friday, August 30, 2013 and shall cease operations promptly at 11 P.M., Eastern Time, that night.

The Ride Company is responsible for all personnel, rides and concessions ready for operation commencing at 12 P.M., Eastern Time, for the remaining days on Saturday, August, 31st, Sunday, September 1st and Monday, September 2nd.

Ride Company shall cease operations promptly at 11 P.M., Eastern Time, on Friday, August 30th, Saturday, August, 31st and Sunday, September 1st. Ride Company shall cease operations at end of festival Monday, September 2nd promptly at 10 P.M., Eastern Time, unless otherwise directed by a City of Newburgh official.

5.0 QUESTIONS

A. Questions regarding this Request for Proposal (RFP) must be submitted in writing to Acting City Comptroller Kathryn Nivins **no later than 12 P.M., (Eastern Time), Wednesday, May 29, 2013.** Questions can be submitted either by facsimile or electronic mail as follows:

- Facsimile - Submit questions to the attention of Kathryn Nivins, Acting City Comptroller to (845) 569-7490
- Electronically by Email – Submit questions electronically Kathryn Nivins, Acting City Comptroller **and** Elizabeth Garrison, her Administrative Assistant, as follows:

Kathryn Nivins, Acting City Comptroller: knivins@cityofnewburgh-ny.gov
Elizabeth Garrison, Administrative Assistant: egarrison@cityofnewburgh-ny.gov

6.0 WITHDRAWAL OF PROPOSAL

Proposals submitted to the City of Newburgh shall not be withdrawn from Vendor and shall remain firm for a period of 45 days commencing Thursday, June 6, 2013.

7.0 RIGHT TO REJECT/AWARD PROPOSAL

The City of Newburgh has the right to reject any and all Proposals. Award may be subject to approval by the Council of the City of Newburgh.

“AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER”

PROPOSER INFORMATION FORM

REQUEST FOR PROPOSALS #3.13

OPERATION OF CARNIVAL RIDES, CONCESSIONS AND AMUSEMENTS
FOR THE
25TH ANNUAL INTERNATIONAL FESTIVAL
CITY OF NEWBURGH, NEW YORK

I (We) hereby propose services for the operations of carnival rides, concessions and amusements for the City of Newburgh, New York as requested by the City in accordance with the RFP solicitation dated Tuesday, May 21, 2013. By signing and submitting this Proposer Information Form for consideration by the City of Newburgh, I (We) acknowledge that I (We) have read, understand and agree to all aspects of the requirements of this RFP as presented without reservation or alteration.

COMPANY NAME _____

ADDRESS _____

PHONE NO. _____ FAX NO. _____

EMERGENCY TEL: _____ CONTACT: _____

EMAIL ADDRESS _____

TAX I.D. NUMBER _____

SUBMITTED BY _____
Signature in **BLUE Ink**

NAME/TITLE _____

DATED _____

BIDS RECEIVED WITHOUT NON-COLLUSION BIDDING AFFIDAVIT WILL NOT BE ACCEPTED

