

REQUEST FOR QUOTATION (RFQ) #11-1139DC
HOT DOG, BAIT AND ICE CONCESSIONS AT COUNTY RECREATION AREAS

QUOTER'S QUESTIONNAIRE

The Quoter warrants the truth and accuracy of all statements and answers herein contained. (Include additional sheets if necessary.)

THIS QUESTIONNAIRE MUST BE COMPLETED AND SUBMITTED WITH YOUR QUOTE.

1. COMPANY'S NAME: _____

CO. PHYSICAL ADDRESS: _____

STATE OF INCORPORATION, IF APPLICABLE: _____

TELEPHONE NUMBER: () _____ email: _____

2. Quoting as an individual: ____; a partnership: ____; a corporation: ____; a joint venture: ____

3. If a partnership: list names and addresses of partners; if a corporation: list names of officers, directors, shareholders, and state of incorporation; if joint venture: list names and address of ventures and the same if any venture is a corporation for each such corporation, partnership, or joint venture:

4. Your organization has been in business (under this firm's name) as a _____
for how many years? _____

5. Disclosure of any circumstance in which any of the vendor's officers, partners, employees, or agents who are active in the management of the vendor's firm and who are also active in any other entity which provides this type venture. Provide names of each individual, the position held and the entity's name, and the circumstances.

6. Disclose any pending lawsuits and/or past **litigation** relevant to this type venture that has been filed against the vendor. Vendor shall provide a statement that this firm is not insolvent, it is not in bankruptcy proceedings or receivership, nor is engaged in or threatened with any litigation, arbitration, or other legal or administrative proceedings or investigations of any kind which would have an adverse effect on the vendor's ability to perform its obligations under this contract.

7. Provide a list of **subcontractors** that may be used, highlighting local (Manatee County locale) subcontractors. Identify each individual on your team and provide the following information: Name, title, telephone number, office address, email address, and a brief description of the individual's role and duties for this venture, and individual resume. Attached? _____

QUOTER'S QUESTIONNAIRE

COMPANY'S NAME: _____

8. Provide a specific description of the **capital investment** to be made in relation to the purchase of equipment needed to fulfill the requirements of this venture and how the capital investment is being financed. Attached? _____

9. Provide a **descriptive list and pictures of all equipment** (quantity, age, condition) to be provided and maintained exclusively by your firm to be used in operation of this venture. The equipment must have self-contained power. Include a statement detailing the source from where the equipment will be made available (i.e., new or pre-owned purchase, transfer from other firm or service location, etc.). Identify the location where your equipment will be stored and maintained.

10. Provide operational hours: Attached? _____

11. Provide a comprehensive listing of suggested pricing for all foods and other items to be offered. All prices charged shall be reasonable and representative of those charged elsewhere in the area for similar products or services. Food and beverage selections should include healthy items. No alcohol or tobacco products may be sold. The quote may include concession of additional food or merchandise items to enhance the facility. Attached? _____

12. Provide a description of your firm's policies and procedures concerning customer service and for handling customer complaints. At a minimum, vendor shall have a written customer service policy in place that reduces customer complaints, discusses customer refund protocol and supports quality of services. Attached? _____

13. Have you ever been debarred or prohibited from quoting on a governmental entity's contracts? If yes, name the entity and describe the circumstances:

14. Submit any additional information which would assist the County in the evaluation of your quote.

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GENERAL CONDITIONS

PURPOSE

It is the intent of Manatee County to enter into an agreement with a qualified vendor to operate a concession on County property.

SPECIFICATIONS

Vendors must submit quotes strictly in accordance with the minimum requirements stated herein. Each variance to these requirements must be specifically stated by the vendor on the quote form. Should the vendor not furnish the County a list of exceptions and supporting data, the County will assume the vendor is quoting in accordance with the stated requirements.

CLARIFICATION

It shall be the responsibility of all vendors to request any additional clarification of the contents herein.

TAXES

Manatee County is exempt from Federal and State Sales Taxes.

RESERVED RIGHTS

The County reserves the right to accept or reject any and/or all quotes, to waive irregularities and technicalities, and to request resubmission. Any sole response received by the first submission date may or may not be rejected by the County depending on available competition and current needs of the County. For all items required, the quote of the highest responsive, responsible quoter, that is deemed by the County to be the most advantageous and in the best interests of the County, will be accepted, unless all quotes are rejected. The County shall be the sole judge of the quote, and the resulting agreement that is in its best interest and its decision shall be final.

The highest responsible quoter shall mean that quoter who makes the highest quote for the services specified herein or otherwise required by the County, and who is fit and capable to perform the services as required.

To be responsive, a quoter shall submit a quote which conforms in all material respects to the requirements set forth in this Request For Quotation. To be a responsible quoter, the quoter shall have the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment, and credit which will assure good faith performance.

Also, the County reserves the right to make such investigation as it deems necessary to determine the ability of any Vendor to perform the work or service requested. Information the County deems necessary to make this determination shall be provided by the Vendor. Such information may include, but shall not be limited to: current financial statements prepared by an independent CPA; verification of availability of equipment and personnel; and past performance records.

APPLICABLE LAWS

Quoter must be authorized to transact business in the State of Florida. All applicable laws and regulations of the State of Florida and ordinances and regulations of Manatee County will apply to any resulting agreement. Any involvement with any Manatee County procurement shall be in accordance with Manatee County Purchasing Code of Laws, as amended.

REGULATIONS

It shall be the responsibility of each vendor to assure compliance with any OSHA, EPA and/or Federal or State of Florida rules, regulations or other requirements, as may apply.

COLLUSION

All vendors, by virtue of submitting their quote, certify that it is without any previous understanding, agreements or connections, with any persons, firm or corporation submitting a quote for same, and is in all respects fair, and without collusion or fraud.

SAVE HARMLESS CLAUSE

The successful vendor(s) covenants and agrees to indemnify and save harmless the County of Manatee, Florida and to defend same from all costs, expenses, damages, and attorney's fees, injury of loss, to which the County may be subjected by any person, firm, corporation or organization by reason of any wrongdoing, misconduct, want or need of care or skill, negligence or default or breach of contract, guaranty or warranty, by the successful vendor(s), his employees, agents or assigns.

COSTS INCURRED IN RESPONDING

This solicitation does not commit the County to pay any costs incurred in the submission of quotes or make necessary studies or designs for the preparation thereof, nor to procure or contract for any equipment.

BE GREEN

All Quoters are encouraged to use as many **environmentally preferable** "green" products, materials, supplies, etc. as possible in order to promote a safe and healthy environment. **Environmentally preferable are products or services that have a reduced adverse effect on the environment.** Provide detail of your organization's initiative and its ability to meet the goal of environmental sustainability as an attachment to your quote submittal.

EQUAL EMPLOYMENT OPPORTUNITY

Manatee County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 and the Regulations of the Department of Commerce (15 CFR, Part 8) issued pursuant to such Act, hereby notifies all prospective Vendors that they will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to participate in response to this advertisement and will not be discriminated against on the grounds of race, color, creed, sex, age or national origin in consideration for an award.

AMERICANS WITH DISABILITIES ACT

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the County's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for any **public meetings** specified herein should contact the person named on the first page of this document at least twenty four (24) hours in advance of the activity.

DRUG FREE WORK PLACE

Drug Free Workplace Program: Manatee County Board of County Commissioners adopted a policy regarding maintaining a Drug Free Workplace. Vendors are asked to review the attached certification and provide either a completed certification of compliance with the program or describe your firm's policy or program as it relates to maintaining a drug free workplace. This response will be considered with the other criteria described herein. (Complete Attachment "A")

PUBLIC CONTRACTING AND ENVIRONMENTAL CRIMES

In accordance with Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two (as of 7/1/2010 is \$35,000) for a period of 36 months from the date of being placed on the convicted vendor list.

In addition, the Manatee County Code of Laws 2-26 Article V prohibits the award of County contracts to persons, business entities, or affiliates of business entities who have not submitted written certification to the County that they have not been convicted of bribery, attempted bribery, collusion, restraints of trade, price fixing, and violations of certain environmental laws. A Non-Conviction Certification Form is attached for this purpose. (Complete Attachment "B")

BASIS OF AWARD

AWARD

Award shall be recommended to the County Administrator for authorization to enter into an agreement with the quoter whose ability and quote is determined to be the highest and best offer most advantageous to the County. Highest shall be determined by the highest compensation to the County in the form of a Monthly License Fee for the rights as concessionaire at the County's parks. Best shall be determined by the consideration of the responses to all requirements and any subsequent investigation.

Award is designated for each concession, per location. Quoter can bid one or multiple locations. Award may be for one, some, or all of the concessions quoted, whichever is in the best interest of the County.

The County reserves the right to base its final award selection in part on the type of unit that the concessionaire proposes to use. The County may not accept an inappropriate unit that is not suited for the type of function specified herein; does not have sufficient equipment to maintain operation; or, is not consistent with the aesthetic goals of the facility.

Whenever two or more quotes are equal with respect to price, quality and service, the quote received from a local business shall be given preference in award. Whenever two or more quotes which are equal with respect to price, quality and service are received, and both quotes or neither of these quotes are received from a local business, the award shall be determined by a chance drawing conducted by Manatee County Purchasing and open to the public.

AGREEMENT TERMS

The price quoted shall be firm for a period of one year. The agreement will be for a term of two years or longer from the effective date of the agreement with the possibility of an extension for two consecutive two-year periods up to an aggregate total of six years (or longer) at the sole discretion of the County.

The concessionaire shall have an exclusive contract within the County facility awarded, with the exception of County-sponsored events (ref. General Considerations, page 11, item b). Unlicensed vendors will not be allowed to conduct business within this locale. Any unlicensed vendor providing food services within the contracted area will be in violation of the Manatee County Park Ordinance. In the event of the appearance of an unlicensed vendor, the concessionaire can contact the Manatee County Code Enforcement to report the violation.

The awarded vendor may propose (after contract execution) enhancements to the menu, area, etc., which may benefit the operation of the concession, i.e., installation of electrical and water utilities, permanency of unrestricted locations, healthy food items, and hot dogs.

COMMENCEMENT OF SERVICES

Awarded vendor shall be prepared to commence service operations within 30 days of contract execution.

QUANTITY

Manatee County does not have a count of the patrons that may visit the recreation areas; and therefore, guarantee of sales are not given or implied.

QUALITY GUARANTEE AND REMEDIAL CLAUSE

If any product/service does not meet performance representations or other quality assurance representations as specified in this quote, the vendor will be required to rectify any and all services involved in the unsatisfactory situation.

ASSIGNMENT OF CONTRACT

Vendor shall not assign, transfer, convey, sublet or otherwise dispose of this Contract or of his right, title, or interest therein, or his power to execute such Contract to any other person, firm or corporation unless first obtaining the written consent of the County.

INSURANCE

The concessionaire must obtain and maintain during the entire term of the agreement, at its sole cost and expense, coverage necessary to fulfill the obligation of the contract. The insurance requirements are set forth in the attached Exhibit.

LOCATIONS

Hot Dog Concession:

- Exhibit B-1: **Anna Maria Island Bayfront Park**, north of City Pier, Anna Maria
- Exhibit B-2: **Kingfish Boat Ramp**, 752 Manatee Avenue West, Holmes Beach
- Exhibit B-3: **Pride Community Park**, 815 63rd Avenue East, Bradenton
- Exhibit B-4: **Warner Bayou Boat Ramp**, 5800 Riverview Boulevard, Bradenton
- Exhibit B-5: **State Road 64 Boat Ramp**, 1605 State Road 64, Parrish
- Exhibit B-6: **GT Bray Dog Park**, 3001 59th Street West, Bradenton
- Exhibit B-7: **Highland Shores Boat Ramp**, 353 Shore Drive, Ellenton
- Exhibit B-8: **Braden River Boat Ramp**, 3020 Manatee Avenue East, Bradenton
- Exhibit B-9: **Buffalo Creek Dog Park**, 7550 69th St East, Palmetto
- Exhibit B-10: **Hidden Harbor (Ft. Hamer)**, 1605 Ft Hamer Road, Parrish
- Exhibit B-11: **Tom Bennett Park** (undeveloped), adjacent to I75, Bradenton

Bait and Ice Concession:

- Exhibit C-1: **Hidden Harbor (Ft. Hamer)**, 1605 Ft Hamer Road, Parrish
- Exhibit C-2: **Kingfish Boat Ramp**, 752 Manatee Avenue West, Holmes Beach
- Exhibit C-3: **State Road 64 Boat Ramp**, 1605 State Road 64, Parrish
- Exhibit C-4: **Highland Shores Boat Ramp**, 353 Shore Drive, Ellenton
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SCOPE OF SERVICES

01 PURPOSE

Manatee County is accepting quotes from qualified companies or individuals for the purpose of providing, operating, and managing small, transportable, fully self-contained concession carts for food and related snack items and also for fishing bait, ice, and related approved items at various recreational parks. It is the goal of Manatee County to provide patrons an opportunity to enjoy a passive recreational experience in the designated parks.

The **food concession at a minimum** shall consist of healthy snacks, hot dogs with condiments and beverages. The **bait and ice concession** shall consist of various types of pre-packaged baits and/or various types of seasonally acceptable live baits. The concessionaire shall supply all foods, refrigeration, equipment, labor, materials, permits, and incidentals necessary for the complete operation of the concession and is responsible for all licenses, fees, and taxes associated with this venture.

All services shall be performed in accordance with applicable federal, state and local regulations, statutes, and ordinances, including provisions for all health codes, rules and regulations. The concessionaire shall maintain continual adherence to all terms and conditions included herein, all applicable laws and regulations, and shall take the necessary safety precautions to ensure that the public and environment are protected.

There is no guarantee of profitability to the concessionaire. All expenses/losses are to be borne exclusively by the concessionaire. Contract award may result in one or more firms being chosen based on the highest and best quote.

02 BACKGROUND

Manatee County expects that this Request for Quotation will result in an agreement(s) to operate the concession(s) as intended and as specified herein, for a period of two years or longer, with the possibility of extensions of up to an aggregate total of six (6) years or longer, with decision being at the sole discretion of the County.

Description of location and available amenities and other information is delineated in attached Exhibits and locations identified by address. Successful vendor(s) shall stay within their designated area of operation and shall not conduct business from any area other than area(s) designated in their agreement. The following County parks are available for service:

Hot Dog Concession:

- Exhibit B-1: **Anna Maria Island Bayfront Park**, north of City Pier, Anna Maria
- Exhibit B-2: **Kingfish Boat Ramp**, 752 Manatee Avenue West, Holmes Beach
- Exhibit B-3: **Pride Community Park**, 815 63rd Avenue East, Bradenton
- Exhibit B-4: **Warner Bayou Boat Ramp**, 5800 Riverview Boulevard, Bradenton
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03 REQUIREMENTS

- a. The concessionaire shall be responsible for transportation, setup, assembly, and securing all required equipment. All equipment is to be removed from the parks daily. No equipment, supplies or any other related items shall be left at the parks overnight. The concessionaire's work area shall be maintained in a clean, neat and orderly manner at all times. The concession will be operating so as not to impede any other activities within the area.
- b. The concessionaire shall not install, assemble, or build any type of permanent or temporary structure. Portable shade canopies may be set up on a daily basis during hours of operation, but must be removed at the close of business nightly.
- c. Although concessionaire's operation shall be removed nightly, once the location is established, it is to remain stationary during the day. Any scheduling variations from the minimum required schedule, including closure due to inclement weather, health concern, etc., must be reported to the County as soon as possible.
- d. All proposed foods, products, services, and charges to the public in relation to this venture must be reasonable and appropriate and must be approved (including any changes) by the County. Menu and pricing shall be displayed for public view.
- e. The County requires that the concessionaire and their employees in this venture conduct operations in a professional manner.
- f. Concessionaire's staff, employees, and/or agents must be readily identifiable and present a neat, professional image. A company shirt with a logo in clear view, as authorized employees of the company, is the minimum acceptable uniform description.
- g. The concessionaire shall be responsible for maintaining all equipment in a clean and proper operating condition.

h. Food Concession:

Required items:

- Cooked hot dogs
- Packaged snacks
- Healthy Snacks
- Condiments
- Plastic Ware
- Non-alcoholic Drinks

Suggested items:

- Ice Cream
- Packaged cookies
- Dog related items (for designated areas): leash, dog whistles, nail clippers
- Chips
- Sandwiches
- Candy

i. Bait and Ice Concession

Required items:

- Pre-packaged baits or various types of seasonally live bait
- Ice

Suggested items:

- Sunglasses
- Limited fishing tackle items
- Sunscreen

04 GENERAL CONSIDERATIONS

- a. The image, ambience, and condition of the parks and equipment furnished by the concessionaire, and the quality of service provided, shall reflect a favorable image of the County and promote the health, safety, and welfare of patrons.
- b. Manatee County reserves the right to host, sponsor or co-sponsor special events in the parks at which food concessions may be provided by the County or a vendor of the County or event sponsor's choice. Such events will offer the concessionaire(s) first right of refusal for like items and should not interfere with the concessionaire's general provision of services at the designated locations.
- c. The concessionaire shall not permit any use of the contracted premises which, directly or indirectly, is forbidden by law, ordinance, or government regulation which may be dangerous to life, limb, or property.
- d. The concessionaire understands that the County or its designee reserves the right to audit, examine, and copy any and all books, records, electronic records, and information relating to the operation of the venture during the length of the agreement. All records will be maintained until an audit is completed and any questions arising there from are resolved.
- e. The concessionaire shall provide Manatee County with full access to the concession at all times.
- f. Hours of operation shall be established with the approval of Manatee County within the open hours of the parks.
- g. The County has the right to adjust the location of the concession or equipment area based on safety or other considerations.
- h. The concessionaire shall provide all required trash receptacles for proper disposal of items within the concession designated area. Concessionaire is responsible for the daily picking up and removal of all vending associated litter and debris from the designated area associated with this venture.

- i. Limited advertising of the concessionaire's operation within the County parks may be allowed with prior approval. Concessionaire shall not erect or post signs, banners, or promotional materials without the approval of the County.
- j. Manatee County requires that the concessionaire close the concessionaire's operation whenever severe storms or other climatic, health, or structural related hazards make human health or safety a concern. If the closure is for an extended period of time (as agreed to by both parties), the parties may negotiate a pro-rated reduction in the concessionaire's payment to the County.
- k. The concessionaire shall be liable for any loss, damage, or injury sustained by any person or entity by reason of negligence of the concessionaire.
- l. The concessionaire is prohibited from assigning or sub-leasing any portion of this venture without prior approval from Manatee County.
- m. Manatee County has the right to terminate the agreement as may be required for public convenience and necessity. Adequate notice to terminate shall be given by either party.

05 PAYMENT

- a. Compensation to the County shall be in the form of a Monthly License Fee plus profit share based on a percentage of monthly concession sales of \$1000 or greater.
- b. The concessionaire is responsible for paying all required federal, state, local fees and taxes, including sales tax, and will not deduct such from the fees owed to the County.
- c. In support of the monthly payment made to the Manatee County Board of County Commissioners, the concessionaire is required to attach an itemized, dated statement delineating, at a minimum, the following:
 - Food Sales: Gross dollar sales and commissions
 - Drink Sales: Gross dollar sales and commissions
 - Bait Sales: Gross dollar sales and commissions
 - Ice Sales: Gross dollar sales and commissions
 - Sundries: Gross dollar sales and commissions
- d. The concessionaire must maintain an accounting system under which its accounts can be readily identified with its system of accounts classification. Such account system must be capable of providing the information required by this venture; and present no diversion or concealment of profits or expenses in the operations.
- e. The County will require the concessionaire to submit scheduled reports and data regarding its performance under the agreement, including, but not limited to, operational information, revenue reporting, and profit and loss statements.

MANATEE COUNTY LOCAL PREFERENCE LAW AND VENDOR REGISTRATION

Vendor Registration

All vendors are encouraged to register with Manatee County using the on-line "Vendor Registration" web page on www.mymanatee.org.

Enclosed is a copy of the current Manatee County law that details the County's Local Preference and definition of a Local Business.

If you assert that your firm meets the stated definition of a Local Business, we ask that in addition to registering on the County's Web page, you fill out the attached "**Affidavit As To Local Business Form**" that is the **last page** in this section of the quote, have the completed document notarized, and mail the original to the following address: Manatee County Administration Center, 1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205.

Your cooperation in registering your business with Manatee County will enhance our opportunities to identify sources for goods and services, plus identify Local Businesses. This information is used for soliciting quotations up to \$250,000.00 and for competitive solicitations of larger purchases.

You will note that Manatee County collaborates with the Manatee Chamber of Commerce, posting bids on www.manatee-chamber.com as well as using the same vendor categories for registration. Our staff can assist you with your registration as needed. Our office hours are 8:00 A.M. to 5:00 P.M., Monday through Friday on regular business days. Please call (941) 749-3014 if you wish to have a purchasing staff member assist you.

Quick steps to on line registration: www.mymanatee.org

A link to "Purchasing" is listed under the "Quick Links" on page one of this County Web Site. On the left hand side of the Purchasing Web page, click on "Vendor Registration."

This will bring up the Vendor Registration form for on-line input. Please note that the definition of a "Local Business" changed on March 17, 2009. The Web page will be updated to include the current Law which has been provided in this section of the **quote**.

Thank you for reviewing this information and considering registering your business with Manatee County. Registration is not mandatory; however, by taking the time to register, you are helping the County to provide timely notifications of quotation, bid, and quote opportunities to your business.

MANATEE COUNTY LOCAL PREFERENCE LAW AND VENDOR REGISTRATION

Section 2-26-6. Local preference, tie bids, local business defined.

- (a) Whenever a responsible local business bidder and a responsible non-local business bidder are found, upon the opening of bids, to have both submitted the highest responsive bid, the bid of the local bidder shall be awarded the contract. Should more than one responsible local business bidder match the responsible non-local business bidder's highest responsive bid, or should no responsible local business bidder match the highest responsive bid but two or more responsible non-local business bidders submit highest responsive bids for equal amounts, then the award of the contract shall be determined by a chance drawing, coin toss, or similar tie-breaking method conducted by the purchasing office and open to the public. Any bidders seeking to be recognized as local businesses for purposes of this local business preference provision may be required by the terms of the bid announcement to certify they meet the definition of local business set forth in this section, and to register as a local business with the county in the manner prescribed by the county to facilitate the county's ability to track the award of contracts to local businesses and to allow the county to provide future notifications to its local businesses concerning other bidding opportunities.
- (b) Nothing herein shall be deemed to prohibit the inclusion of requirements with respect to operating and maintaining a local place of business in any invitation for bids when the bidder's location materially affects the provisions of the services or supplies that are required by the invitation.
- (c) Local business is defined as a business legally authorized to engage in the sale of the goods and/or services to be procured, and which certifies within its bid that for at least six (6) months prior to the announcement of the solicitation of bids it has maintained a physical place of business in Manatee, Desoto, Hardee, Hillsborough, Pinellas or Sarasota County with at least one full-time employees at that location.
- (d) **Each solicitation for bids made by the county shall contain terms expressly describing the local business preference policies of the county, and shall provide that by electing to submit a bid pursuant to a request for bids, all bidders are deemed to understand and agree to those policies.**
- (e) For all contracts for architecture, professional engineering, or other professional services governed by Florida Statute § 287.055, the Consultants' Competitive Negotiation Act, the county shall include the local business status of a firm among the factors considered when selecting which firms are "most highly qualified." In determining which firm is the "most qualified" for purposes of negotiating a satisfactory contract, preference shall be given to a local business where all other relevant factors are equal.
- (f) Local preference shall not apply to the following categories of contracts:
 - 1. Goods or services provided under a cooperative purchasing agreement or similar "piggyback" contract;
 - 2. Contracts for professional services subject to Florida Statute § 287.055, the Consultants' Competitive Negotiation Act, except as provided for in subsection (e) above;

Section 2-26-6. Local preference (cont'd)

3. Purchases or contracts which are funded, in whole or in part, by a governmental or other funding entity, where the terms and conditions of receipt of the funds prohibit the preference;
 4. Purchases or contracts made pursuant to a non-competitive award process, unless otherwise provided by this section;
 5. Any bid announcement which specifically provides that the general local preference policies set forth in this section are suspended due to the unique nature of the goods or services sought, the existence of an emergency as found by either the county commission or county administrator, or where such suspension is, in the opinion of the county attorney, required by law.
- (g) To qualify for local preference under this section, **a local business must certify to the County that it:**
1. Has not within the five years prior to the bid announcement admitted guilt or been found guilty by any court or state or federal regulatory enforcement agency of violation of any criminal law, or a law or administrative regulation regarding fraud;
 2. Is not currently subject to an unresolved citation or notice of violation of any Manatee County Code provision, except citations or notices which are the subject of a current legal appeal, as of the date of the bid announcement;
 3. Is not delinquent in the payment of any fines, liens, assessments, fees or taxes to any governmental unit or taxing authority within Manatee County, except any such sums which are the subject of a current legal appeal.

Ref: Ordinance 09-21 and 09-23 **PASSED AND DULY ADOPTED** in open session, with a quorum present and voting, on the 17th day of March, 2009.

MANATEE COUNTY GOVERNMENT AFFIDAVIT AS TO LOCAL BUSINESS

(Complete and Initial Items B-F)

A. Authorized Representative

I, [name] _____, am the [title] _____
_____ and the duly authorized representative

of: [name of business] _____
_____ and that I possess direct personal knowledge to make informed responses to these certifications and the legal authority to make this Affidavit on behalf of myself and the business for which I am acting; and by electing to submit a **quote** pursuant to this **Request for Quotes**, shall be deemed to understand and agree to the local business preference policies of Manatee County; and that I have the direct knowledge to state that this firm complies with all of the following conditions to be considered to be a Local Business as required by the Manatee County Code of Law, Section 2-26-6.

B. Place of Business: I certify that the above business is legally authorized to engage in the sale of goods and/or services and has a physical place of business in Manatee, DeSoto, Hardee, Hillsborough, Pinellas or Sarasota County with at least one (1) fulltime employee at that location. The physical address of the location which meets the above criteria is: _____

[Initial] _____

C. Business History: I certify that business operations began at the above physical address with at least one fulltime employee on [date] _____ [Initial] _____

D. Criminal Violations: I certify that within the past five years of the date of this **quote** announcement, this business has not admitted guilt nor been found guilty by any court or local, state or federal regulatory enforcement agency of violation of any criminal law or administrative regulation regarding fraud. [Initial] _____

E. Citations or Code Violations: I certify that this business is not currently subject to any unresolved citation or notice of violation of any Manatee County Code provision, with the exception of citations or notices which are the subject of a legal current appeal within the date of this **quote** announcement. [Initial] _____

F. Fees and Taxes: I certify that within this business is not delinquent in the payment of fines, liens, assessments, fees or taxes to any governmental unit or taxing authority within Manatee County, with the exception of those which are the subject of a legal current appeal.
[Initial] _____

Each of the above certifications is required to meet the qualification of "Local Business" under Manatee County Code of Law, 2-26-6.

Signature of Affiant _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this ____ day of ____, 20__, by (name of person making statement).

(Notary Seal) Signature of Notary: _____

Name of Notary (Typed or Printed) _____

Personally Known ____ OR Produced Identification ____ Type of Identification Produced _____

Submit executed copy to Manatee County Purchasing, Suite 803, 1112 Manatee Avenue W., Bradenton, FL 34205

EXHIBIT A

CONCESSION TYPE PER COUNTY FACILITIES

COUNTY FACILITY	FOOD	BAIT / ICE
Anna Maria Island Bayfront Park north of the Pier, Anna Maria Island	X	
Kingfish Boat Ramp, 752 Manatee Avenue West, Bradenton	X	X
Pride Community Park 815 63 rd Avenue East, Bradenton	X	
Warner Bayou Boat Ramp 5800 Riverview Boulevard, Bradenton	X	X
State Road 64 Boat Ramp 1605 State Road 64, Parrish	X	X
GT Bray Park (food and dog products) 3001 59 th Street West, Bradenton	X	
Highland Shores Boat Ramp 353 Shore Drive, Ellenton	X	X
Braden River Boat Ramp 3020 Manatee Avenue East, Bradenton	X	X
Buffalo Creek Park (food and dog product) 7550 69 th Street East, Palmetto	X	
Hidden Harbor (Ft Hamer) Boat Ramp, 1605 Ft Hamer Road, Parrish	X	X
Tom Bennett (presently under development), Bradenton FL	X	

EXHIBIT B-1**ANNA MARIA ISLAND BAYFRONT PARK FOOD CONCESSION**

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, food concession at a designated location at Anna Maria Island Bay Front Park.

Location: just north of the City Pier on Anna Maria Island (shown on the aerial photograph).

Amenities: 1 - Playground	3 – Pavilions (small)	29 - Trash Receptacles
6 – Grills	27 – Picnic Tables	1 – Recycle Containers
1 – Bench	1 – Restroom	1 – Water Fountain
1 – Shower, outside	1 – Shower, inside	

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

Note: Permit from the City of Anna Maria may be required.

OPERATIONS

Anna Maria Island Bay Front Park is open to the public from dawn to dusk, 365 days a year. Food service shall be offered at least 6 hours per day (weather permitting), a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT B-2

KINGFISH BOAT RAMP FOOD CONCESSION

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, food concession at a designated location at Kingfish Boat Ramp.

Location: 752 Manatee Avenue West, Bradenton, Florida (indicated on the aerial photograph).

Amenities: 1 - Boat Ramp	2 - Fish Cleaning Table (Double)	
5 – Grills	11 - Picnic Tables	11 - Trash Receptacles

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Kingfish Boat Ramp is open to the public 24 hours a day, 365 days a year. Food service shall be offered at least 6 hours per day (weather permitting), a minimum of 5 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT B-3**PRIDE COMMUNITY PARK FOOD CONCESSION**

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, food concession at a designated location at Pride Community Park.

Location: 815 63rd Avenue East, Bradenton FL. (indicated on aerial photograph).

Amenities:	1 – Playground	2 – Sand Volleyball Court	5 – Grills
	33 – Picnic Tables	12 – Exercise Stations	11 – Benches
	1 – Gazebo	3 – Picnic Pavilions	1 – Restroom
	6 – Water Fountains	1 – Restroom/Pavilion	1 Splash Park
	31–Trash Receptacles	1 – Multi-Purpose Trail (Paved)	1 – Softball Field

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Pride Community Park is open to the public from dusk to dawn, 365 days a year. Food service shall be offered at least 4 hours per day (weather permitting), a minimum of 2 days per week, every week in the months of June, July, and August, unless otherwise approved by the County.

EXHIBIT B-4

WARNER'S BAYOU BOAT RAMP FOOD CONCESSION

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, food concession at a designated location at Warner's Bayou Boat Ramp.

Location: 5800 Riverview Boulevard, Bradenton, Florida (indicated on the aerial photograph).

Amenities: 1 - Boat Ramp 2 – Dock 2 - Fish Cleaning Table
 4 - Picnic Tables 12 - Trash Receptacles

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Warner's Bayou Boat Ramp is open to the public from 10:00 A.M to 4:00 P.M., 365 days a year. Food service shall be offered at least 6 hours per day (weather permitting), a minimum of 4 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT B-5

STATE ROAD 64 BOAT RAMP FOOD CONCESSION

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, food concession at a designated location at State Road 64 Boat Ramp.

Location: 1605 State Road 64, Parrish, Florida (indicated on the aerial photograph).

Amenities: 1 - Boat Ramp 2 – Dock 2 - Fish Cleaning Table
 2 - Trash Receptacles

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

State Road 64 Boat Ramp is open to the public from dusk to dawn, 365 days a year. Food service shall be offered at least 6 hours per day (weather permitting), a minimum of 4 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT B-6**G.T. BRAY PARK FOOD AND DOG CONCESSION**

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, concession cart offering foods and dog treats at a designated location at the G.T. Bray Dog Park.

Location: 3001 59th street West, Bradenton, Florida (This location houses the Manatee County Parks and Recreation Administration Offices).

Amenities:	1 - Amphitheater	2 – Baseball	2 – Basketball
	21 - Benches	15 – Bleachers	2 – Canine Park
	1 – Football Field	1 – Fitness Center	4 – Concession/Restroom
	8 – Grills	28 - Horseshoe Court	3 – Little League Fields
	7 – Picnic Shelters	98 – Picnic Tables	2 – Multi-Purpose Trails
	4 – Playgrounds	2 – Pools	1 – Multi-Purpose Field
	8 – Racquetball	1 – Restroom	8 – Press Box
	1 – Skate Park	4 – Soccer Fields	4 – Softball Fields
	10 – Water Fountains	16 – Tennis Courts	2 – Tee Ball
	85 – Trash Receptacles		

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

G.T. Bray Park is open to the public from dawn to dusk, 365 days a year. Concession service shall be offered at least 6 hours per day (weather permitting), a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.



(Proposed Concession attached)

EXHIBIT B-7

HIGHLAND SHORES BOAT RAMP FOOD CONCESSION

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, food concession at a designated location at the Highland Shores Boat Ramp.

Location: 353 Shore Drive, Ellenton, Florida.

Amenities: 1 - Boat Ramp 1 – Dock 1 - Trash Receptacle

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Highland Shores Boat Ramp is open to the public from 10:00 A.M. to 4:00 P.M., 365 days a year. Food concession shall be offered at least 4 hours per day, a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT B-8

BRADEN RIVER BOAT RAMP FOOD CONCESSION

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, food concession at a designated location at the Braden River Boat Ramp.

Location: 3020 Manatee Avenue East, Bradenton, Florida.

Amenities: 1 - Boat Ramp 1 – Dock 1 - Trash Receptacle

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Braden River Boat Ramp is open to the public from 10:00 A.M. to 4:00 A.M., 365 days a year. Food concession shall be offered at least 6 hours per day (weather permitting), a minimum of 4 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT B-9**BUFFALO CREEK PARK FOOD AND DOG CONCESSION**

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, concession cart offering foods and dog treats at a designated location at the Buffalo Creek Dog Park.

Location: 7550 69th Street East, Palmetto, Florida. (indicated on the aerial map)

Amenities:	1 – Concession	1 – Football Field	1 – Soccer Field
	13 – Benches	1 – Playground	4 – Little League Fields
	17 – Bleachers	1 – Soccer Field	1 – Multi-Purpose Trail
	19 – Picnic Tables	2 – Canine Parks	1 – Baseball
	49 – Trash Receptacles	1 – Restroom	

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Buffalo Creek Park is open to the public from dusk to dawn, 365 days a year. Concession services shall be offered at least 6 hours per day (weather permitting), a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT B-10**HIDDEN HARBOR (FT. HAMER BOAT) RAMP FOOD CONCESSION**

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, food concession at a designated location at Hidden Harbor (f/k/a Ft. Hamer) Boat Ramp.

Location: 1605 Ft. Hamer Road in Parrish, Florida (indicated on the aerial photograph).

Amenities: 1 - Boat Ramp	1 – Dock	1 - Fish Cleaning Table
3 - Picnic Tables	1 – Playground	7 - Trash Receptacles

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Ft. Hamer Boat Ramp is open to the public 24 hours a day, 365 days a year. Concession service shall be offered at least 6 hours per day (weather permitting), a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT B-11**TOM BENNETT PARK FOOD CONCESSION**

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, food concession at a designated location at Tom Bennett Park. (Proposed amenities listed)

Location: central Manatee County (adjacent to I75)

Amenities: Canoe Launch, Directional Kiosk, Access Road, Nature Trail, Bike Access/Racks
1 - Pavilion 1 – Fishing/Observation Piers 3 – Sand Volley Ball Courts
2 – Soccer Fields 4 – Softball Fields 1 – Playground
6 – Tennis Courts 1 – Splash Park 1 – Olympic Pool
Restroom/Concession Amphitheater and Seating

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Tom Bennett Park will be open to the public. Food service shall be offered at least 4 hours per day (weather permitting), a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT C-1**HIDDEN HARBOR (FT. HAMER BOAT) RAMP BAIT & ICE CONCESSION**

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, bait and ice concession at a designated location at Hidden Harbor (f/k/a Ft. Hamer) Boat Ramp.

Location: 1605 Ft. Hamer Road in Parrish, Florida (indicated on the aerial photograph).

Amenities: 1 - Boat Ramp	1 – Dock	1 - Fish Cleaning Table
3 - Picnic Tables	1 – Playground	7 - Trash Receptacles

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Hidden Harbor (Ft. Hamer) Boat Ramp is open to the public 24 hours a day, 365 days a year. Concession service shall be offered at least 4 hours per day (weather permitting), a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT C-2

KINGFISH BOAT RAMP FOOD CONCESSION

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, food concession at a designated location at Kingfish Boat Ramp.

Location: 752 Manatee Avenue West, Bradenton, Florida (indicated on the aerial photograph).

Amenities: 1 - Boat Ramp	2 - Fish Cleaning Table (Double)	
5 – Grills	11 - Picnic Tables	11 - Trash Receptacles

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Kingfish Boat Ramp is open to the public 24 hours a day, 365 days a year. Food service shall be offered at least 6 hours per day (weather permitting), a minimum of 5 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT C-3

STATE ROAD 64 BOAT RAMP BAIT & ICE CONCESSION

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, bait and ice concession at a designated location at State Road 64 Boat Ramp.

Location: 1605 State Road 64, Parrish, Florida (indicated on the aerial photograph).

Amenities: 1 - Boat Ramp 2 – Dock 2 - Fish Cleaning Table
 2 - Trash Receptacles

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

State Road 64 Boat Ramp is open to the public from dusk to dawn, 365 days a year. Concession service shall be offered at least 4 hours per day (weather permitting), a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT C-4

HIGHLAND SHORES BOAT RAMP BAIT & ICE CONCESSION

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, bait and ice concession at a designated location at the Highland Shores Boat Ramp.

Location: 353 Shore Drive, Ellenton, Florida.

Amenities: 1 - Boat Ramp 1 – Dock 1 - Trash Receptacle

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Highland Shores Boat Ramp is open to the public 10:00 A.M. to 4:00 P.M., 365 days a year. Concession service shall be offered at least 4 hours per day (weather permitting), a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT C-5

BRADEN RIVER BOAT RAMP BAIT & ICE CONCESSION

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, bait and ice concession at a designated location at the Braden River Boat Ramp.

Location: 3020 Manatee Avenue East, Bradenton, Florida.

Amenities: 1 - Boat Ramp 1 – Dock 1 - Trash Receptacle

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Braden River Boat Ramp is open to the public from 10:00 A.M. to 4:00 P.M., 365 days a year. Concession services shall be offered at least 4 hours per day (weather permitting), a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.

EXHIBIT C-6**WARNER'S BAYOU BOAT RAMP FOOD CONCESSION**

The Parks and Recreation Department is interested in permitting a qualified vendor to provide, operate and manage a small, transportable, fully self-contained, bait and ice concession at a designated location at Warner's Bayou Boat Ramp.

Location: 5800 Riverview Boulevard, Bradenton, Florida (indicated on the aerial photograph).

Amenities: 1 - Boat Ramp 2 – Dock 2 - Fish Cleaning Table
 4 - Picnic Tables 12 - Trash Receptacles

Ample, convenient, free patron and staff parking available.

There will be no water or other utilities available for this operation and all equipment will have to be removed daily.

OPERATIONS

Warner's Bayou Boat Ramp is open to the public from 10:00 A.M to 4:00 P.M., 365 days a year. Food service shall be offered at least 4 hours per day (weather permitting), a minimum of 2 days per week, every week of the year, unless otherwise approved by the County.