

**REQUEST FOR PROPOSALS  
FOR SALE, DELIVERY, SET-UP AND TRAINING  
FOR PORTABLE OUTDOOR ICE RINK  
RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT**

**SOLICITATION INFORMATION AND SELECTION SCHEDULE**

Solicitation Number: RN2019-08-06

Solicitation Title: REQUEST FOR PROPOSALS FOR SALE, DELIVERY, SET-UP AND TRAINING FOR PORTABLE OUTDOOR ICE RINK

Release Date: August 9, 2019

Publication Dates: August 13, 2019 and August 20, 2019, 2017

Pre-Submittal Conference: None

Final Date for Inquiries: August 21, 2019

Proposal Due Date and Time: **August 27, 2019  
4:00 PM** (local time, Tucson, AZ)

Shortlist Announced for Oral Interviews (if any): None

Oral Interviews (if necessary): **TBD**

Target Award Date: **August 30, 2019 or TBD (depending on Interviews)**

RFP Administrator: Brandi Haga-Blackman  
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Tucson, AZ 85701 [brandihb@rionuevo-tucson.org](mailto:brandihb@rionuevo-tucson.org)  
520-623-7336

- \* In the event that a Vendor cannot be selected based solely on Proposals submitted, oral interviews may be conducted at the District's sole discretion.
- \*\* The Rio Nuevo Multipurpose Facilities District reserves the right to cancel or amend the solicitation schedule as it deems necessary or appropriate.

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## I. RFP PROCESS; PROJECT PARAMETERS

1. Purpose; Scope of Work. The Rio Nuevo Multipurpose Facilities District (the "District") is issuing this Request For Proposals (this "RFP") seeking proposals ("Proposals") from qualified firms ("Proposers") interested in the sale, delivery, initial set-up, training for operation, and initial tear-down of a portable ice rink to be operated on District-owned property located in Tucson, Arizona, as more particularly described in **Exhibit A** hereto (the "Project"). The District seeks these Proposals to further the District's mission to facilitate and participate in the development of a vibrant downtown Tucson.

1.1. Background. The District is a multipurpose facilities district formed pursuant to A.R.S. Sections 48-4201 et seq., located in the Tucson Metropolitan Area. The District is governed by a District Board of Directors currently consisting of a Chair and five members. The District's purpose is to own, develop and operate multipurpose facilities for the benefit of the public. All Proposals must comply with the terms and conditions contained within this RFP and the attached **Exhibit A**. Any proposal that does not comply with these Agreements will be deemed non-responsive and will be rejected by the District. The District reserves the right, at its absolute discretion, to not exercise its option to lease or purchase the Project Site.

2. Preparation/Submission of Proposal. Proposers are invited to participate in the competitive selection process outlined in this RFP. Responding parties shall review their Proposal submissions to ensure the following requirements are met:

2.1. Irregular or Non-Responsive Proposals. The District shall consider as "irregular" or "non-responsive" and reject any Proposal not prepared and submitted in accordance with this RFP, or any Proposal lacking sufficient information to enable the District to make a reasonable determination of compliance with the minimum Project requirements. Unauthorized conditions, limitations, or provisions shall be cause for rejection. Proposals may be deemed non-responsive at any time during the evaluation process if, in the sole opinion of the District:

A. Proposer does not meet the minimum required skill or experience to deliver, install and operate the Project as set forth in the Proposal, and in accordance with the requirements of this RFP.

B. Proposer has a past record of failing to fully perform or fulfill contractual obligations.

C. Proposer cannot demonstrate financial stability and/or capability.

D. Proposer's Proposal contains false, inaccurate or misleading statements that, in the opinion of the RFP Evaluation Committee, is intended to mislead the District in its evaluation of the Proposal.

E. The Proposer's Proposal fails to comply with the scope attached hereto as **Exhibit A**.

2.2. Submittal Quantities. Interested Proposers must submit **one (1) original**, and one electronic copy on a USB flash drive [two **(2) total submittals**] of the Proposal. Failure to adhere to the submittal quantity criteria shall result in the Proposal being considered non-responsive.

2.3. Required Submittal. The Proposal shall be submitted with a cover letter with an **original ink** signature by a person authorized to bind the Proposer.

2.4. Proposer Responsibilities. All Proposers shall (A) examine the entire RFP, (B) seek clarification of any item or requirement that may not be clear, (C) check all responses for accuracy before submitting a Proposal, and (D) submit the entire Proposal by the Proposal Due Date and Time. Late Proposals will not be considered. A Proposer submitting a late Proposal shall be so notified. Negligence in preparing a Proposal confers no right of withdrawal after the Proposal Due Date and Time.

2.5. Sealed Submittals. All Proposals shall be sealed and clearly marked with the RFP number and title, **(RN2019-08-06 – Rio Nuevo Outdoor Ice Rink)**, on the lower left hand corner of the envelope. A return address must also appear on the outside of the sealed Proposal. The District is not responsible for the pre-opening of, post-opening of, or the failure to open any Proposals not properly addressed or identified.

2.6. Address. All Proposals must be delivered, by mail or by hand-delivery, to the District's office, at the following address: Rio Nuevo Multi-Purpose Facilities District, 400 W. Congress, Suite 152, Tucson, Arizona 85701, by the Proposal Due Date and Time indicated on the cover page of this RFP.

2.7. Proposal Irrevocable. In order to allow for an adequate evaluation, the District requires the Proposal to be valid and irrevocable for **sixty (60)** days after the Proposal Due Date and Time indicated on the cover of this RFP. No contract or any other right related to this RFP is created by the submittal of a response to this RFP. Any contract that may result from this RFP is subject to formal approval by the District Board.

2.8. Amendment of RFP or Proposal. At any time prior to the specified Proposal Due Date and Time, a Proposer (or designated administrator) may amend or withdraw its Proposal. Any erasures, interlineations or other modifications in the Proposal shall be initialed in **original ink** by the authorized person signing the Proposal. Facsimile, electronic (email) or mailgram Proposal amendments or withdrawals will not be considered. No Proposal shall be altered, amended or withdrawn after the specified Proposal Due Date and Time.

2.9. Addenda:

A. If necessary, the District may issue addenda to this RFP. Addenda are issued to amend portions of this RFP, to provide additional information or clarifications, or to respond to questions submitted as provided below. Addenda shall be posted to the District's website and shall be effective immediately upon such posting. By submitting a Proposal, the Proposer is acknowledging that he/she/it has received and understood all addenda to this RFP.

B. Proposers are responsible for obtaining any addenda issued pursuant to this RFP. Except as specifically set forth herein, the District takes no responsibility for informing Proposers regarding the issuance of addenda.

3. Cost of Proposal Preparation. The District will not reimburse Proposers for the cost of developing, presenting or providing a Proposal. Proposals submitted for consideration should be prepared simply and economically, providing adequate information in a straightforward and concise manner. The Proposer is responsible for all costs incurred in responding to this RFP. All materials and documents submitted in response to this RFP become the property of the District and will not be returned.

4. Inquiries.

4.1. Written/Verbal Inquiries. Any question related to the RFP shall be directed to the RFP Administrator whose name appears on the cover page of this RFP. While the RFP Administrator may answer informal questions regarding the RFP orally, the District makes no warranty of any kind as to the correctness of any oral answers and uses this process solely to provide minor clarifications rapidly. Oral statements or instructions shall not constitute an amendment of this RFP. Questions related to this RFP (“Inquiry(ies)”) must be submitted in writing and received by the District (via post, hand delivery or email) by the close of business on the Final Date for Inquiries indicated on the cover page of this RFP. In the event the District is closed on the Final Date for Inquiries, the Proposer shall submit the Inquiry(ies) to the RFP Administrator via email or voicemail on that date. Any Inquiry related to this RFP shall refer to the number and title, page and paragraph. However, the Proposer shall not place the RFP number and title on the outside of any envelope containing an Inquiry, because such envelope may be identified as a sealed Proposal and thus may not be opened until after the Proposal Due Date and Time.

4.2. Inquiries Answered. The District will respond to all timely submitted Inquiries within **two (2)** business days following the District’s receipt of such Inquiry by the posting of both the Inquiry and the response to the District’s website. There will be no responses to any Inquiries submitted after the Final Date for Inquiries listed on the cover of this RFP.

4.3. Addenda Based on Responses to Inquiries. Any addendum issued as a result of any written responses to inquiries shall become part of the RFP and must be acknowledged in the Proposal submittal. Failure to indicate receipt of the addendum shall result in the Proposal being rejected as non-responsive.

5. Pre-Submittal Conference. A Pre-Submittal Conference will **not** be held.

6. Public Record. All Proposals shall become the property of the District. After approval of an agreement by the District Board as a result of this RFP, Proposals shall become public records and shall be available for public inspection in accordance with the District’s Procurement Code and State law, except that any portion of a Proposal that was designated as confidential shall remain confidential from and after the time of Proposal opening to the extent permitted by Arizona law.

7. Proposer Licensing and Registration. Prior to the award of the Agreement, the successful Proposer shall be licensed with the Arizona Corporation Commission to do business in Arizona and the City. The Proposer shall provide licensure information with the Proposal. Corporations must provide a Certificate of Good Standing from the Arizona Corporation Commission.

8. Certification. By submitting a Proposal, the Proposer certifies:

8.1. No Collusion. The submission of the Proposal did not involve collusion or other anti-competitive practices.

8.2. No Discrimination. It does not and will not discriminate against any employee or applicant for employment in violation of Federal Executive Order 11246.

8.3. No Gratuity. It has not given, offered to give, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip favor or service to a District Board member, employee, officer or agent, or any member of the RFP Evaluation Committee in connection with the submitted Proposal. It (including the Proposer's employees, representatives, agents, lobbyists, attorneys, and subcontractors) has refrained, under penalty of disqualification, from direct or indirect contact for the purpose of influencing the selection or creating bias in the selection process with any person who may play a part in the selection process, including the RFP Evaluation Committee, District Board, elected officials, and other District staff. All contact must be addressed to the District's RFP Administrator, except for questions submitted as set forth in Paragraph 4, Inquiries, above. Any attempt to influence the selection process by any means shall void the submitted Proposal and any resulting Agreement.

8.4. Financial Stability. It is financially stable, solvent and has adequate cash reserves to meet all financial obligations including any potential costs resulting from an approval of an Agreement by the District Board.

8.5. No Signature/False or Misleading Statement. Failure to sign the Proposal, or signing it with a false or misleading statement, shall void the submitted Proposal.

9. Evaluation Committee & Ranking of Proposals.

9.1. The District Board will select an RFP Evaluation Committee, which will include at least one City of Tucson representative. The RFP Evaluation Committee will conduct the selection process generally according to the schedule listed on the cover page of this RFP and in accordance with the terms of this RFP.

9.2. Proposals will be opened at the time and place designated on the cover page of this RFP. The name of each Proposer and the identity of the RFP for which the Proposal was submitted shall be publicly read and recorded in the presence of witnesses. Proposals will be initially evaluated under the criteria set forth in Section II (Proposal Format; Scoring) . After this initial evaluation, the RFP Evaluation Committee may elect to interview three to five highest ranked Proposers. Final rankings will be determined after interviews by combining the initial and

interview scores. After the District has entered into an Agreement with the successful Proposer, the successful Proposal and the final scoring documentation shall be open for public inspection pursuant to applicable Arizona law.

10. Reservation of Rights by the District. Notwithstanding any other provision of this solicitation, the issuance of this RFP and the receipt of Proposals do not constitute an agreement or commitment by the District that any contract will be entered into by the District. The District expressly reserves the right to:

- 10.1. Reject any or all Proposals or portions thereof submitted.
- 10.2. Reissue another Request for Proposals related to this same Project Site.
- 10.3. Negotiate with any qualified developer.
- 10.4. Extend the timeframe for submission of the Proposals.
- 10.5. Request additional information from any or all applicants.

10.6. Negotiate Business Terms. Any Board direction to commence negotiations with a Proposer does not commit the District to accept any or all of the terms of the Proposal. Final terms of any agreement that incorporates any or all the terms of a Proposal will be agreed upon during negotiations. Negotiations may be terminated by the District and its designated representatives at any time for any reason(s) the District deems appropriate.

10.7. Waive any immaterial defect or informality.

10.8. Negotiate with other Proposers in the order of their ranking if terms cannot be reached or performance achieved in a timely manner.

11. Offer. A Proposal is an offer to contract with the District based upon the terms, conditions and specifications contained in this RFP and all addenda thereto, and the Proposer's responsive Proposal. No contractual relationship shall be established until the Proposer has signed and the District Board has approved an Agreement between the District and the Proposer in the form acceptable to the District Attorney.

12. Submittal Content. Every Proposal must address each of the items listed herein and may include any additional information that the Proposer believes may be important to the Project.

12.1. Contact Information.

A. Provide the primary contact information for the Authorized Representative. Information shall include name, title, address, telephone number and email address.

B. Describe the Contracting Entity which Proposer anticipates would be entering into contracts with the District. The Contracting Entity must be in good standing under the laws of the State of Arizona prior to entering into a contract with the District.

12.2. Questionnaire and Affidavit. Proposer must complete, sign and include with its Proposal the Questionnaire and Affidavit set forth in this RFP.

12.3. Project Description. The Proposal should include all materials and services described in Exhibit A.

12.4. Proposer Qualifications:

A. Clearly identify the key individuals and companies and organizational structure of Proposer and the contracting entity, if different.

B. Clearly identify roles and responsibilities of all Proposal team members.

C. Cite Proposer's experience successfully delivering other projects of similar scale and complexity, locally, regionally and nationally.

D. Provide proof of good standing of companies, where applicable.

E. Provide contact information for references for other projects cited in 12.4.C above.

12.5. Project Schedule:

A. Provide a comprehensive schedule that addresses all phases of planning, ordering and delivery of materials, permits, installation/set-up, start-up and opening, based on reasonable assumptions.

B. Provide details on phasing, if applicable.

## **II. PROPOSAL FORMAT; SCORING**

Each timely-submitted Proposal will be reviewed for compliance with the Proposal requirements by the RFP Evaluation Committee. Proposals shall be organized and submitted as outlined below. Failure to conform to this designated organization may result in a determination that the Proposal is non-responsive. Additionally the RFP Evaluation Committee will evaluate and award points to each Proposal based upon the evaluation criteria as outlined in this document. Points listed below are the maximum number of points possible for each criteria and not the minimum number that the RFP Evaluation Committee may award. The RFP Evaluation Committee may conduct oral interviews with not more than five (5) of the highest ranked Proposers based upon the Proposal submittal scoring.



1. Proposer Qualifications. Does the Proposer and development team have a demonstrated track record of successfully delivering comparable projects? Did the Proposer provide sufficient contact information for comparable projects? Was the feedback from these references positive?

**(150 points)**

2. Pricing. What is the total cost to the District? If any optional equipment or service is included in the Proposal, what are the estimated costs for each such option?

**(200 points)**

3. Project Schedule. Is the timeframe in which the Proposer commits to complete the Project reasonable? Does the schedule include the major milestones such as ordering and delivery of long-lead items, building permit submittal, commencement of installation/set-up, testing, and commencement of operations? If applicable, are the phases clearly detailed and reasonable?

Assumptions used in developing the Project Schedule shall be identified and at a minimum the proposed schedule shall include the following dates:

- (1) Contract Award Date: August 30, 2019
- (2) Notice to Proceed Date: August 30, 2019
- (3) Delivery of Long-Lead Items
- (4) Set-up of Rink Floor and Dasher Boards
- (5) Delivery of Additional Equipment (skates, racks, etc.)
- (6) **Target** Final Completion Date: November 27, 2019

**(150 points)**

### **III. PROPOSER QUESTIONNAIRE AND AFFIDAVIT**

#### **Assurances**

The undersigned Proposer hereby submits to the District the enclosed Proposal based upon all terms and conditions set forth in the District's Request for Proposals, all addenda thereto, and all referenced materials. Proposer further specifically agrees hereby to construct and operate the Project in the manner set forth in the Proposal submitted.

The undersigned Proposer acknowledges and states, under penalty of perjury, that:

1. The District is relying on Proposer's submitted information and the representation that Proposer has the capability to successfully undertake and complete the responsibilities and obligations submitted in its Proposal and in the resulting contract.

2. The District has the right to make any further inquiry it deems appropriate to substantiate or supplement information supplied by Proposer.

3. Proposer has read and fully understands all the provisions and conditions set forth in the RFP documents upon which its Proposal is based.

4. The forms and information requested in the RFP are complete and made part of Proposer's Proposal. The District is not responsible for any Proposer errors or omissions.

5. This Proposal may be withdrawn by requesting such withdrawal in writing at any time prior to the Proposal deadline but may not be withdrawn after such date and time.

6. The District reserves the right to reject any and all Proposals and to accept the Proposal that, in its judgment, will provide the best quality development to the District.

7. This Proposal is valid for a minimum of **one-hundred twenty (120)** days subsequent to the RFP Proposal deadline.

8. All costs incurred by Proposer in connection with this Proposal shall be borne solely by Proposer. Under no circumstances shall the District be responsible for any costs associated with Proposer's Proposal or the RFP process. No contract is formed by the submittal of a response to this RFP by Proposer, and no expectation of a Contract is created by such submittal.

9. Proposer has not in any manner, directly or indirectly, conspired with any person or party to unfairly compete or compromise the competitive nature of the RFP process.

10. The contents of this Proposal have not been communicated by the undersigned or by any employee or agent to any other person engaged in this type of business prior to the official opening of this Proposal.

11. To the best of the Proposer's knowledge, the information provided in its Proposal is true and correct, and neither the undersigned Proposer nor any partner, corporate officer or managing employee have ever been convicted of a felony or a crime involving moral turpitude.

12. **Organization Structure of Entity to Enter into Contracts**

a) What is the name of the Contracting Entity?

- \_\_\_\_\_
- If this entity has been formed, what is the Arizona Corporation Commission file number?  
\_\_\_\_\_
- If this entity has not been formed, describe the anticipated timing of the creation of such entity: \_\_\_\_\_  
\_\_\_\_\_

b) Please check the type of organization:

- Non-Profit 501(c)(3), if so, what year was it incorporated as a 501(c)(3)? \_\_\_\_\_
- Other Non-Profit \_\_\_\_\_
- Government Entity
- Sole Proprietorship
- Partnership
- Corporation
- Other \_\_\_\_\_

c) Identify the members, if an LLC, partners, if a partnership, or officers, if a corporation, for the Contracting Entity identified above. For the purposes of this RFP, addenda and exhibits, any questions regarding the principals are referring to the officers, partners and members as disclosed.

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13. **Legal Status**

a) In the past 10 years, has your proposing entity, or any of its principals or its principal's affiliates, filed a petition in bankruptcy court or had involuntary proceedings filed in bankruptcy court? If "Yes," provide date, case name, case number, venue of the proceeding, and the status of each proceeding.

Yes ( ) No ( )

b) Has your proposing entity, or any of its principals or its principal's affiliates, been declared to be in default under any obligation to or contract with the District? If "Yes," please provide details concerning the nature of the default, including the District contract number.

Yes ( ) No ( )

c) Is the proposing entity, or any of its principals or its principal's affiliates, currently involved in any litigation or claims against the District including any threatened claim or litigation? If "Yes," provide details about such proceedings.

Yes ( ) No ( )

d) Have any of the proposing entity's, or any of its principals' or its principals' affiliate's, contracts been terminated prior to their expiration terms, voluntarily or involuntarily, within the last 10 years? If "Yes," provide name, location, and date of the contract(s).

Yes ( ) No ( )

e) Has the Proposer, or any corporation or other entity that has, directly or indirectly, a controlling interest in the Proposer, or any subsidiary of the Proposer or other entity in which the Proposer has a controlling interest, or any of the Proposer's principals, officers, or directors, ever been barred from bidding on federal, state or local government contracts? If "Yes," provide the current status of such suspension or debarment proceedings.

Yes ( ) No ( )

14. **Affidavit Signatures**

**Proposer's Contracting Entity (Legal Name):** \_\_\_\_\_

**Description of Proposer's Development Team**  
(Key Individuals, Companies and Organizational Structure):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Proposer's Authorized Representative:**

Printed Name\*: \_\_\_\_\_

Title: \_\_\_\_\_

Business Mailing Address: \_\_\_\_\_

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

Telephone: \_\_\_\_\_

Signature \_\_\_\_\_

\*Proposal must be signed by an individual authorized to contractually bind the Proposer.

**NOTARIZED**

Signed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Notary Signature: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(Affix Seal)

**EXHIBIT A  
TO  
REQUEST FOR PROPOSAL**

**(Project Scope)**

The Rio Nuevo Multipurpose Facilities District (the “District”) is seeking proposals for the sale, delivery, initial set-up, training for operation, and initial tear-down of a portable ice rink to be operated on District-owned property located in Tucson, Arizona. The rink should be approximately 62’ x 82’ and the skating surface must be real ice (synthetic ice will not be acceptable). The rink will be installed and operational by Thanksgiving Day, November 28, 2019, or as soon thereafter as reasonably practicable, and shall remain in operation through January 5, 2020.

Proposals must include equipment delivery and installation supervision, equipment operational training for the proper handling and maintenance of the ice floor and other provided equipment. With proper operational training, the District and/or City of Tucson will provide personnel to maintain the ice floor, skate lace area, admission and ticketing, and any other ancillary activities.

The District and/or City of Tucson will provide related infrastructure including site build out (staging and or decking), benches, canopies, electrical service, water source, garbage services, security, and staffing. District will provide transportation expenses and lodging for any out-of-town stays for Proposer’s personnel. Proposer will provide daily operational personnel for the initial seven (7) days after the rink is placed into service.

Provided items must include, but are not limited to:

- Foldable aluminum ice floor and all tanks, pumps, insulation, matting, hoses, glycol mix (including anti-corrosives) and cooling connection system compatible with a 100-ton chiller to be provided by District and/or City of Tucson.
- Dasher boards
- Ice Skates (quantity to meet the capacity of the rink square footage), skate racks, skate lace area mats, skate sharpener, and skating aids.