



STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
P.O. BOX 301452
64 NORTH UNION STREET
MONTGOMERY, ALABAMA 36130-1452



Kay Ivey
GOVERNOR

Christopher M. Blankenship
COMMISSIONER

Edward F. Poolos
DEPUTY COMMISSIONER

Gregory M. Lein
DIRECTOR

Matthew W. Capps
DEPUTY DIRECTOR

PUBLIC NOTICE – INVITATION TO BID FOR CONCESSION SERVICES

Submission Deadline: July 19, 2024 at 12:00 pm (NOON) Central Time

Operation of Water Sports Cable System Concession at Oak Mountain State Park – Pelham, Shelby County, Alabama

I. INTRODUCTION AND PURPOSE

The *Alabama Department of Conservation and Natural Resources, State Parks Division*, (hereinafter referred to as DCNR) is seeking specific bid proposals from interested parties capable of providing the Operation of Water Sports Cable System at Oak Mountain State Park. The successful concessionaire(s) will operate and maintain a system which allows participants to safely enjoy towed watersports without a boat.

The purpose of this Invitation to Bid (ITB) is to award a contract(s) to a responsible and responsive concessionaire(s) whose proposal presents the best value for DCNR, considering price and other factors in the best interests of the State and public. The anticipated term of the agreement will be **three (3) years** with an option(s) to renew at DCNR's discretion.

The successful concessionaire(s) will be required to enter into a concession agreement (contract) with DCNR after being informed of selection. Concessionaire must provide documentation of applicable approvals, permits, and licenses. Concessionaire must also present adequate proof of bond and liability insurance, specifically naming DCNR, its officers, agents, and employees as additional insureds.

Interested parties must submit a bid no later than **July 19, 2024 at 12:00 pm (noon) Central Time**. Submit bid proposals by U.S. Mail or Overnight Courier to:

Attn: Toni Hart
Alabama Department of Conservation and Natural Resources
State Parks Division
64 N. Union Street, Room 538
Montgomery AL, 36130

Public bid opening shall occur on **July 22, 2024 at 12:00 pm (noon) Central Time** at 64 N. Union Street, Conference Room 538, Montgomery AL, 36130.

II. GENERAL INFORMATION

A. Overview of Services:

- 1) The successful concessionaire(s) will operate and maintain a system which allows participants to safely enjoy towed watersports without a boat. The concession contract(s) will be awarded in accordance with Alabama Code Section 9-14-20, et seq.

B. Prices, Fees, and Payment Terms:

- 1) Concessionaire's bid shall designate and include the percentage rate _____ % of all gross receipts to be paid to DCNR. Concessionaire shall remit to DCNR, by the 1st of each month in operation, an amount equal to the percentage of all gross receipts (defined as all sales and rental collected from the customers, less applicable taxes) received for concession operations.
- 2) Concessionaire shall include with its remittance an itemized breakdown of receipts by various categories in a form acceptable to DCNR. All payments not submitted by the 20th day of the month shall be assessed a late fee payment of \$10.00 per day.

C. General Requirements and Qualifications:

- 3) Concessionaire must be organized, able to communicate effectively, and coordinate activities with multiple parties in a professional and pleasant manner.
- 4) Concessionaire must provide documentation in its submission reflecting not less than five (5) years actual experience in the execution of a similar operation, which shall be subject to verification.
- 5) Concessionaire must provide a complete financial statement in its submission, which will be subject to full verification by state officials.
- 6) Concessionaire must provide an appropriate faithful performance bond satisfactory to DCNR in the amount of one hundred thousand dollars (\$100,000) with the executed contract. The bond shall be furnished by a surety company or bank qualified and authorized to make such bonds in the State of Alabama.
- 7) Concessionaire must provide proof of insurance coverage in amounts acceptable to DCNR and subsequently list ADCNR, the State of Alabama, and its employees, officers, agents, volunteers, and representatives as additional insureds upon execution of contract.
- 8) Concessionaire must be qualified and registered with the Alabama Secretary of State to conduct business in the State of Alabama, if selected.
- 9) Concessionaire will be required to enroll in E-Verify, if applicable, and provide the E-Verify Memorandum of Understanding upon completion of enrollment.
- 10) Concessionaire must have a policy and practice of equal employment opportunity and nondiscrimination based on race, color, religion, age, sex, pregnancy, national origin, genetic information, veteran status or disability.

11) All Concessionaire employees deployed to the Park must submit to and pass a background check satisfactory to DCNR using the enclosed form “Attachment A”.

D. REVIEW CRITERIA:

All proposals submitted for DCNR’s consideration must provide the following information:

- A) Qualifications: Justification that the Concessionaire can meet the needs outlined in this ITB. (30%)
- B) Past Performance and Experience: Documented proof of at least five (5) years of successful experience in operating of a Water Sports Cable System or comparable operation. (45%)
- C) Remittance: The bid shall include the percentage rate of all gross receipts to be paid to DCNR (25%)

E. RESERVATIONS AND MISCELLANEOUS:

a. Authority

This process is for the benefit of DCNR. All information will provide DCNR with competitive information to assist it in the process of selecting a concessionaire. All decisions on compliance, evaluation, terms, and conditions related to the ITB will be made solely at the discretion of DCNR.

b. Alterations

DCNR reserves the right to alter any deadlines or revise any part of this ITB by issuing an addendum to the ITB at any time. Addenda, if any, will be posted DCNR’s website. It is the responsibility of the interested concessionaire to check the website for addenda.

c. Waiver of Informalities

DCNR reserves the sole and exclusive right to reject or accept any and all proposals and to waive any informality in any proposal. The best interests of DCNR shall be considered as the key factor in selecting or not selecting a Concessionaire.

d. Rejection/ Cancellation

Issuance of this ITB in no way constitutes a commitment by DCNR to award a contract. DCNR reserves the right to award to multiple vendors, to accept or reject, in whole or part, all bid proposals submitted and/or cancel this ITB if it is determined to be in DCNR’s best interest. DCNR also reserves the right to withdraw this ITB at any time or terminate the contract resulting from this ITB upon thirty (30) days-notice without penalty.

e. Errors and Omissions in Proposal

DCNR reserves the right to make corrections or amendments due to errors identified in bid proposals by DCNR or by the Concessionaire. DCNR, at its discretion, has the right to request clarification or additional information.

f. Compliance with Laws

Concessionaires acknowledge and agree to comply with all applicable state, federal, municipal, and local laws, regulations, ordinances, licensing requirements, as well as DCNR policies, guidelines, standards, including State Parks rules and regulations.

Site visits are encouraged to personally examine the facilities offered. For arrangements or additional information, please contact David Johnson at Oak Mountain State Park at david.johnson@dcnr.alabama.gov.

ATTACHMENT A

BACKGROUND CHECK CONSENT FORM

The information below is collected solely for the purpose of aiding DCNR in performing a criminal history background check pursuant to clause XXXVII of the above Concession Agreement.

Name: _____
 First **Middle** **Last**

Date of Birth: ____/____/____ Social Security Number: _____
 Month / Day / Year

Driver's License Number: _____ State Issuing License: _____

Enter Any Other Names Used (including maiden names) (use a separate sheet as needed):

 First Middle Last

 First Middle Last

 First Middle Last

Addresses Within the Past Seven Years (use a separate sheet as needed):

Present Street Address: _____

City/State/ZIP: _____

Prior Street Address: _____

City/State/ZIP: _____

From: ____/____/____ To: ____/____/____
 Month / Day / Year **Month / Day / Year**

Prior Street Address: _____

City/State/ZIP: _____

From: ____/____/____ To: ____/____/____
 Month / Day / Year **Month / Day / Year**

Signature: _____ Date: _____