

CITY OF LONG BEACH



Request for Proposals for Bicycle Rental Program

RFP#2021-130

THIS REQUEST FOR PROPOSALS CONTAINS THE FOLLOWING:

Notice to Proposers
Instructions to Proposers
Proposal Specifications
Bidder's Qualifications Statement
(Includes bidders statement, non-collusion statement, insurance forms)

CITY COUNCIL

John Bendo, President
Karen McInnis, Vice-President
Michael A. Delury
Scott J. Mandel
Elizabeth M. Treston

CITY MANAGER

Donna M. Gayden

CORPORATION COUNSEL

Richard Berrios

Purchasing Department

City Hall • 1 West Chester Street • Long Beach, New York 11561

(516) 431-1006 (P)

Purchasing@longbeachny.gov • www.longbeachny.gov

IMPORTANT NOTE TO POTENTIAL PROPOSERS: Receipt of these RFP documents does not indicate that the City of Long Beach (the "City") has pre-determined your company's qualifications to receive a contract award. Such determination will be made after the review of Proposals received and will be based on our evaluation of your submission compared to the specific requirements and qualifications contained in these bid documents.

NOTICE TO PROPOSERS

SEALED REQUESTS FOR PROPOSALS will be received by the Purchasing Department of the City of Long Beach, on **the 10th day of January, 2022, at 2:00 pm** (the "Submission Date"), or as extended, for:

Bicycle Rental Program

Due to public health and safety concerns related to COVID-19, the sealed proposals will be publicly recorded via videoconferencing in accordance with the Governor's Executive Order 202.11. The public will have an opportunity to see and hear the proposal recording live at:

<https://www.youtube.com/c/cityoflongbeachNYOFFICIAL>.

Proposals may be mailed or delivered to the Purchasing Department, 1 West Chester Street, Room 509, Long Beach, New York 11561, *No Proposals will be accepted after that time and date.*

All Proposals must be sealed and submitted in an envelope with the **Identification Label** provided in the Bid Documents affixed to the front of the envelope.

All PROPOSERS MUST complete the required Bidder's Disclosure Statement, Non-Collusion Declaration, and must provide a copy of the required Statement of Financial Conditions, even if a Proposer/Bidder is currently executing work for the City.

It is the policy of the City to encourage the participation of DBE and M/WBE; by submitting a Proposal/bidding on this request for Proposals, the contractor acknowledges its understanding and support of this policy and pledges to fully cooperate with the City in meeting the requirements as set forth in the bidding and contract documents.

The City reserves the absolute right to reject any and all Proposals, and to waive any informalities therein.

A Proposal submitted by a Proposer who is not in full compliance with the provisions of the City Charter and Code of Ordinances at the time of submission will be denied.

The City will not accept Proposals from, nor award a Contract to, anyone who cannot prove to the satisfaction of the City that the Proposer has sufficient experience and/or is financially able and organized to successfully comply with the requirements set forth herein.

DONNA M. GAYDEN
CITY MANAGER

DATED: Long Beach, New York
December 2, 2021

CITY OF LONG BEACH

REQUEST FOR PROPOSALS

I. INTRODUCTION

A. General

The City of Long Beach (the ‘City’) is soliciting request for proposals (RFP) for a self-service bicycle rental program for public use and stationed in the public right-of-way. The selected Proposer will be required to implement a program, which should enable the public to self-rent bicycles from any of several locations and return them to another. Services would be provided by the selected Proposer on a 24-hour, 7-days per week, full time basis with sufficient personnel to successfully operate the program. The Proposer may however elect to cease operation from December 1st through April 1st of each year.

The City’s goals and objectives are to promote bicycling as an integral part of daily life for Long Beach residents and visitors. This program is to be accessible to the maximum number of people in the most cost-efficient manner to increase bicycle use and decrease local motor vehicle use.

Self-service bicycle rental programs provide a convenience for bicyclists since bicycles are available on an as-needed basis, tune-ups and storage are not necessary, and bike stations are provided in strategic locations. Benefits for the City include reduced traffic congestion, improved air quality, quieter and more livable streets, and the opportunity for citizens to improve their health through exercise.

The City of Long Beach is a popular tourist destination with a year-round population of approximately 34,000, and a summer population of approximately 50,000 to 60,000. On a popular summer weekend, it is common for the City to receive 25,000 beach attendees, of which approximately 9,000 of these visitors arrive by train and, as a result, do not have a car or bike of their own.

B. Subcontracting

No subcontracting shall be permitted without the express permission of the City.

II. SCOPE OF SERVICES

A. Rules; Regulations; Licensing Requirements

Proposers are expected to be familiar with, and comply with, all Federal, State, County, and City laws, ordinances, codes, and regulations that may in any way affect the services offered, including without limitation the Americans with Disabilities Act, Title VII of the Civil Rights Act, the EEOC Uniform Guidelines, and all EEO regulations and guidelines.

The successful Proposer acknowledges that New York State law requires that any bicycle rider under the age of thirteen is required to wear a safety helmet. While the City will not require the successful Proposer to

supply helmets, said Proposer will be required to provide appropriate notice of this requirement. Said Proposer shall also be required to give notice of Section 15-5 of the City of Long Beach Code of Ordinances which prohibits bicycle riding on city sidewalks.

B. Proposer’s Responsibility

Before submitting a Proposal, each Proposer shall be solely responsible for making any and all investigations and examinations, as it seems necessary, to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements, and/or failure to make such investigations and examinations, will not relieve the Proposer from any obligation to comply with every detail and with all provisions and requirements of the contract documents, and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the Proposer.

C. Implementation and Operation

Proposals are required to outline implementation and operation for a potential operating scenario with a capacity for a minimum fleet of 100 bicycles. Proposals must also address the following points:

Implementation and Operating Plan which should describe in detail the following:

1. Description of proprietary technologies to manage the program.
2. Description of a funding plan for implementation, as well as the type and size of any proposed advertising.
3. Plans detailing the locations, size, number, and configuration of each station installation, and illustrating how public space is proposed to be optimized.
4. Description of the size of proposed bicycle fleet, and if the fleet size varies by season.
5. Procedures for renting and returning bicycles.
6. Procedures to ensure availability of bicycles for rental at all locations on a daily basis.
7. Specifications for the proposed bicycle rental stations.
8. Specifications for the proposed bicycles; safety of the bicycle, condition of bicycles.
9. The proposed management/oversight structure.
10. Hours of operation and types of customer service.
11. Strategies to prevent damage to bicycles and rental stations.
12. The proposed maintenance and security plans.
13. Procedures for bicycle maintenance and repair.
14. The funding sources for the development, implementation and management of the program.
15. Description of a fee structure, including the rates that you propose to charge to users.
16. A timeline for the implementation of the project.

17. Describe the technology platform and user interface, including integration with smartphones and similar devices.
18. The capacity of the Proposer to develop, implement and maintain the proposed use.
19. Including the Proposer's past experience in developing, implementing, and/or maintaining a program with a similar scope and impact. For each example, if possible, provide information on the size of the system (number of bikes, number of stations, etc.), the usage of the system (percentage of bikes in use primary purpose of use, etc.) and references.

D. Bicycles, Stations and Rental Rates

The rental bicycles must be maintained in good working order. The Proposer must adopt an evaluation and maintenance schedule that would reduce the risk of renting potentially unsafe vehicles.

- **Bicycle Minimum Requirements**

1. All necessary safety features including front and rear reflectors and/or lights
2. Chain guards
3. Bells
5. Kickstands
6. Adjustable seats
7. Secure locking mechanism
8. Theft, tamper, weather, and graffiti resistant

- **Bicycle Preferred Options (Non-mandatory)**

The City of Long Beach prefers, but does not require, that bicycles provided by the Proposer include the following items:

1. Utilization of a smartphone or similar device for bike access
2. Baskets
3. Self-generating lights
4. Fenders
5. Ability to leverage current bicycle rack infrastructure
6. Ability to lock bike outside designated stations for holding (pausing) and finishing rental
7. Integrated lock on bicycle which has the ability to lock to any standardized bicycle infrastructure

- **Station Minimum Requirements**

1. All stations will be sited by mutual agreement between the Contractor/Vendor and the City
2. Additional approvals may be required for stations sited on non-municipal property
3. Station components must be theft, tamper, weather, and graffiti resistant
4. Stations must be modular and moveable, requiring minimal to no excavation or trenching
5. If space is needed at stations for advertising then it must have City approval

- **Station Preferred Options (Non-mandatory)**

The City of Long Beach prefers, but does not require, stations provided by the Proposer include the following items:

1. Map or signage at each station showing locations of other stations
2. Stations that do not require grid-access electricity or are solar-powered

- **Station Locations**

Locations are subject to change as conditions warrant and as mutually agreed upon between the City and the successful bidder:

1. The Boardwalk at Grand Blvd
2. The Boardwalk at Laurelton Blvd
3. The Boardwalk at Edwards Blvd
4. The Boardwalk at Franklin Blvd
5. The Boardwalk at Neptune Blvd
6. Central Business District - Bus Terminal
7. East End - Shore Rd and Pacific Blvd
8. West End - Nevada and Beech St
9. The Long Beach Rec Center – Magnolia Blvd
10. MLK Community Center – Riverside Blvd and E Pine St
11. Bridgeworks – Long Beach Blvd and E Harrison St
12. Key Food: E Park Ave and Roosevelt Blvd

- **System Minimum Requirements**

1. All registration methods must require potential users with the capability to sign liability waivers
2. System must include a method for collection of data such as number of times each bicycle is used, average trip duration, etc. Data will not be proprietary and will be provided to the City for analysis and use, and the City will reserve the right to make the data publicly available.

- **User Rates and Fees**

1. The selected Proposer shall make its rental rates easily available for public review, for example, by posting legible displays and providing information pamphlets, as well as, maintaining a current website.
2. Must be flexibility in membership options and user rates

- **Funding**

City of Long Beach does not anticipate investing capital or operating funds into a bike share program. It is expected that the Contractor/Vendor will develop a funding plan for implementation, which may rely on a combination of sponsorship, grants, revenue capture, or other sources.

The award of this contract shall be made to the vendor whose proposal is deemed to be the most advantageous to the City, in accordance with the criteria set forth in the RFP.

The following conditions apply to this RFP:

- There is no express or implied obligation of the City to reimburse responding firms for any expenses incurred in preparing proposals in response to this request, and the City will not reimburse such expenses.
- Any inquiries regarding this RFP must be in writing or by email and should be addressed to purchasing@longbeachny.gov.
- To be considered, an original and five (5) hard copies of the proposal, with any attachments, addenda, etc. and one (1) electronic copy of the same *must* be received the Purchasing Department, City of Long Beach, 1 West Chester Street, Room 509, Long Beach, New York 11561 **by 2:00 p.m. on January 10, 2022**. The City reserves the right to reject any or all proposals submitted.
- During the evaluation process, the City reserves the right, where it may serve the City's best interest, to request additional information or clarification from a proposer, or to allow corrections on non-material errors or omissions or waive non-material requirements. At the sole discretion of the City, firms submitting proposals may be requested to make oral presentations as part of the evaluation process. If conducted, oral presentations will be scheduled with each proposer being considered.
- The City reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected.
- Submission of a proposal indicates acceptance by the firm of the conditions contained in this RFP, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the City and the selected firm.
- It is anticipated the selection of a firm will be completed in January, 2022. Following notification of the selected firm, it is expected an agreement will be executed between both parties in February, 2022.
- The City reserves the right, as best serves its interest, to change any of the projected dates set forth in this RFP including, but not limited to, the due date for receipt of proposals.
- The City reserves the right to reject all proposals.

III. ADDITIONAL REQUIREMENTS

The following requirements will be made a part of any agreement entered into between the City and the selected firm(s):

1. The City reserves the absolute right to terminate the Request for Proposal at any time.
2. The firm shall maintain full and complete books and records of accounts in accordance with accepted accounting practices and such other records as may be prescribed by the City Comptroller, including a contemporaneous record of work indicating in brief summary, a description of the work performed. Such books and records shall be retained for a period of six (6) years and shall at all times be available for audit and inspection by the City Comptroller, the City's auditors and/or duly designated City representatives.
3. The firm will promptly provide a response to any requests from the City's Records Access/FOIL Officer.
4. The firm shall, to the fullest extent permitted by law, Proposer shall indemnify, hold harmless and defend the City of Long Beach, and all respective elected and appointed officials, employees, volunteers, and/or agents from any and all liability, damage, loss, claims, demands and actions of any nature whatsoever, for any reason whatsoever, foreseeable or unforeseeable, which arises out of or is connected with, or is claimed to arise out of to be connected with, any undertaking, product, goods, merchandise, products, services sold and/or work supplied, furnished or performed by the Proposer or its subcontractors and/or agents, on account of personal injury, death or property loss to the City of Long Beach, its officers, employees, agents or to any other persons, third parties, or property, but shall not include claims resulting from the gross negligence or willful misconduct of the City of Long Beach. This indemnity and hold harmless is intended to be as broad as is permitted by law and to include claims of every kind and nature – for tort, under contract, for strict liability or other liability without fault, under statute, rule, regulation or order, and otherwise.
5. In any and all claims against City of Beach, all elected and appointed officials, employees and volunteers or any of its agents or employees by any employee of the Proposer or subcontractor, anyone directly or indirectly employed by any of them or anyone whose acts any of them may be liable, the indemnification obligation under the above paragraph shall not be limited in any way by any limitation on the amount of type of damages, compensation or benefits payable by or for the Proposer or their subcontractor under Workers Compensation acts, disability acts, or other employee benefit acts.
6. The indemnification provided by this Agreement shall be a continuing right to indemnification and shall survive the expiration or termination of this Agreement.
7. The firm shall procure and maintain during the term of any agreement resulting from this RFP, with a carrier holding an "A" rating from AM Best Company, or its equivalent, and furnish certificates of insurance evidencing its procuring such as enumerated in the Insurance Certification Form on page 20 of this document. The firm shall furnish proof of the required insurance, as enumerated in the Insurance Certification Form which is part of this Request for Proposals, within 10 business days of being notified that it has been awarded the contract and prior to commencement of any services pursuant to the Contract; failure to furnish proof of the required insurance within the said 10 business days may result in the City selecting the next qualified bidder. The City will not sign or execute the contract, nor authorize any work to be performed until all insurance requirements have been met and the proper insurance documents in proper form, including endorsements to policies where required, have been submitted and approved by the City.

8. The City of Long Beach reserves the right to negotiate with the successful bidder on matters of profit-sharing and associated permits, licensing fees, leases and/or rents.
9. The firm shall be responsible for all expenses related to this program, including, but not limited to:
 - a. Installation of the bicycle rental stations and all related equipment
 - b. Daily operations, including moving bicycles from one station to another
 - c. Routine maintenance, repair, and replacement of equipment
 - d. Overall program management and administration, including staffing, collection of fees, accounting, and user contact
 - e. Promotion, including establishing, maintaining, and upgrading a Web site
 - f. Software development, upgrades, and maintenance
 - g. Ongoing evaluation, with weekly, monthly and annual reports submitted to the City Comptroller
 - H. Preparation of an annual review report, prepared by a Certified Public Accountant

IV. TIME REQUIREMENTS

A. Proposed Calendar

The following is a list of key dates up to and including the date proposals must be submitted:

RFP Issued	December 1, 2021
Due Date for proposal submissions	January 10, 2022

B. Notification and Contract Dates

Selected Firm Notified	On or about	January, 2022
Contract Date	On or about	February, 2022

C. The City reserves the right, as best serves its interest, to change any of the projected dates set forth in this RFP including, but not limited to, the due date for receipt of proposals.

D. The City anticipates entering into a contract for the Bicycle Rental Program.

IV. PROPOSAL REQUIREMENTS

A. General Requirements

1. Inquiries:

Written inquiries concerning the RFP and its subject must be made to purchasing@longbeachny.gov. All responses to inquiries made to the City concerning this RFP will be posted on the City's website no later than one (1) week prior to the Due Date. **THE CITY RETAINS THE ABSOLUTE RIGHT TO REJECT ANY INQUIRIES THAT ARE NOT MADE OR RECEIVED IN ACCORDANCE TO THIS SECTION.**

2. Submission of Proposals:

The following material is required to be received by the Due Date for a proposing firm to be considered:

(a) The Proposal shall include:

- i. Title Page:
Title page showing the RFP subject; the firm’s name; name, address and telephone number of the contact person; and the proposal due date.
- ii. Technical Proposal:
A signed letter of transmittal stating the proposer’s understanding of the services to be performed, a statement why the firm believes it to be best qualified to perform the engagement, the firm’s past history in providing these or other services for municipalities, resumes of individuals who would be working with the City and a description of their specific duties under the proposed program, visual examples of other displays produced by the proposer and a **statement that the proposal is a firm and irrevocable offer. Such technical proposal must include, in addition to the above, all information and documentation described in Section II (A) through (D) above.**
- iii. Fully completed Proposer’s Qualification Statement attached as Attachment A, including the Statement of Understanding, Disclosure Statement, Non-Collusive Proposal Certification, Insurance Certification and Acknowledgement of Receipt of Addenda. The contract will be executed by the City and the selected candidate only after an evaluation of each proposal and a selection of a firm.

(b) An original and five (5) hard copies as well as one (1) electronic .pdf copy of the completed proposal should be sent to the following address in a sealed envelope marked “***Request for Proposals for Bicycle Rental Program***”:

Purchasing Agent
City of Long Beach
One West Chester Street, Room 509
Long Beach, NY 11561

B. Guidance on Completing a Proposal Submission

The purpose of a proposal submission is to demonstrate the qualifications, competence and capacity of the firms seeking to provide services to the City. As such, the substance of proposals will carry more weight than the form or manner of presentation. The Technical Proposal should demonstrate the qualifications of the firm and of the particular staff to be assigned to this engagement.

The Technical Proposal should address all points outlined in the RFP. The Technical Proposal should be prepared simply and economically, providing a straightforward, concise description of the proposer’s capabilities to satisfy the RFP requirements.

IV. SELECTION OF FIRM

A. The City will approve a firm based on an evaluation of the proposals. The City reserves the right to enter into negotiations with the proposer offering the next-best value should the City be unable to negotiate and execute a contract with the awardee. Proposals will be evaluated based on the following point system:

- | | |
|---------------------------------|-----------|
| 1. Management Capabilities | 25 Points |
| 2. Qualifications/Experience | 25 Points |
| 3. Ability to Meet City’s Needs | 50 Points |
| 4. DBE or MWBE (Bonus) | 5 Points |

The City may also take into account any other factors it deems necessary in evaluating each proposal.

B. Right to Reject Proposals

Submission of a proposal indicates acceptance by the firm of the conditions contained in the RFP unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the City and the firm selected. The City reserves the right without prejudice to reject any and all proposals.

Attachment 'A'

BIDDER'S QUALIFICATIONS STATEMENT

INSTRUCTIONS:

The Bidder's Statement Consists of the Following Documents:

1. Statement of Understanding;
2. Disclosure Form;
3. Noncollusive Bidding Certification;
4. Certification of Insurance (*to be completed by an authorized insurance agent*); and

Please complete **ALL FOUR** forms and submit with the Bid/Proposal.

THE CITY RETAINS THE ABSOLUTE RIGHT TO REJECT ANY BID/PROPOSAL THAT FAILS TO INCLUDE COMPLETE AND ACCURATE ORIGINALS OF ALL FOUR (4) FORMS INCLUDING ALL APPROPRIATE ACKNOWLEDGMENT(S) AND BEARING THE SIGNATURE OF A NOTARY PUBLIC.

STATEMENT OF UNDERSTANDING

By signing in the space provided below, the undersigned certifies, under penalty of perjury, as follows:

1. I am duly authorized to submit this Bid/Proposal on behalf of the below listed sole proprietorship/company/partnership/corporation.
2. That he/she will furnish any and all items upon which prices are bid at the price set forth for each item bid with a **CASH DISCOUNT OF _____%, IF ANY.**
3. That he/she has the capacity to and will abide by all terms and conditions pursuant to this bid, including but not limited to the Bid Documents, Bid Specifications, General Conditions, and bid prices hereto.
4. That he/she agrees to make or accept payment in accordance with the requirements of the Bid Documents, Bid Specifications, General Conditions, and bid prices hereto; and
5. That he/she will, if his/her Bid/Proposal is accepted, enter into a Contract with the City of Long Beach pursuant to the terms and conditions set forth in the Bid Documents, Bid Specifications, General Conditions, and bid prices hereto.
6. That he/she certified that his/her sole proprietorship/company/partnership/corporation will carry all types of insurance specified in the contract.
7. Is the response that you are providing compliant with the instructions set forth in this solicitation for bids?
 Yes No

The undersigned further stipulates that the information in this Proposal is, to the best of its knowledge, true and accurate.

Signature

Name of Bidder

Title of Person Signing

Sworn to and subscribed on
this _____ day of _____, 20____

(Notary Public)

4. **Criminal Misconduct:** Has your Company/Corporation/Partnership, or any of its employees, or anyone acting on its behalf, been indicted or otherwise charged in connection with any criminal matter arising directly or indirectly from the conduct of your Company/Corporation/Partnership's business which is still pending, or has any of the Company/Corporation/Partnership's officers, directors or persons exercising substantial policy discretion been indicted or otherwise charged in connection with any criminal matter involving business or financial misconduct or fraud which is still pending? If so, describe the indictments or charges and surrounding circumstances in detail.

5. **Survey Forgery (If applicable):** Has your Company/Corporation/Partnership, or any of its employees present or past, or anyone acting on its behalf, ever signed and sealed surveys for which your Company/Corporation/Partnership has not actively participated in the production thereof; or been investigated by the New York Department of State for such activity? If so, describe the circumstances in detail.

6. **Conflicts of Interest:** disclose any of the following, and describe any procedures your Company/Corporation/Partnership has, or would adopt, to assure the City that a conflict of interest would not exist in the future):

(a) Any material financial relationships that your Company/Corporation/Partnership or any Company/Corporation/Partnership employee has that may create a conflict of interest or the appearance of a conflict of interest in contracting with or representing the City.

(b) Any family relationship that any employee of your Company/Corporation/Partnership has with a member, employee, or official of the City or that may create a conflict of interest or the appearance of a conflict of interest in contracting with or representing the City.

(c) Any other matter that your Company/Corporation/Partnership believes may create a conflict of interest or the appearance of a conflict of interest in contracting with or representing the City.

7. **Financial Disclosure:** Submit with this Disclosure Statement Form, any one of the following three items:
- (a) a financial statement, prepared on an accrual basis, in a form which clearly indicates: Bidder's (1) assets, liabilities and net worth; (2) date of financial statement; and (3) name of firm preparing statement.
 - (b) a letter of credit reference from a recognized bank or financial institution; or
 - (c) a certified copy of a credit report from a recognized credit bureau, such as Dun and Bradstreet or TRW.

THE CITY RETAINS THE ABSOLUTE RIGHT TO REJECT ANY BID/PROPOSAL THAT FAILS TO INCLUDE COMPLETE DISCLOSURE STATEMENT FORM.

Dated at _____, this _____ day of _____, 20_____.

(Signature, if Individual)

By: _____
(Signature)

(Seal, if corporation)

Print Name: _____
(Legal Business Name of Company/Partnership/Corporation)

Print Title: _____

[MANDATORY AFFIDAVIT(S) AND ACKNOWLEDGMENT APPEARS ON FOLLOWING PAGE]

-----**(Affidavit for Individual)**-----

_____ being duly sworn, deposes and says, under penalty of perjury, that: a) _____ he/she is an authorized representative of the Bidder/Proposer; b) he/she has read all statements and answers to this DISCLOSURE STATEMENT FORM, including the attached letter of credit/certified copy of credit report or financial statement submitted pursuant to interrogatory number 7 Financial Disclosure; c) the attached letter of credit/certified copy of credit report or financial statement, taken from his/her books, is a true and accurate statement of his/her financial condition as of the date thereof; and b) all of the foregoing qualification information is true, complete, and accurate.

-----**(Affidavit for Partnership)**-----

_____ being duly sworn, deposes and says, under penalty of perjury, that: a) he/she is a member of the partnership of _____, b) he/she has read all statements and answers this DISCLOSURE STATEMENT FORM, including the attached letter of credit/certified copy of credit report or financial statement submitted pursuant to interrogatory number 7 Financial Disclosure; c) he/she is familiar with the books of said partnership showing its financial condition; c) the attached letter of credit/certified copy of credit report or financial statement, taken from the books of said partnership, is a true and accurate statement of the financial condition of the partnership as of the date thereof; and d) all of the foregoing qualification information is true, complete and accurate.

-----**(Affidavit for Corporation)**-----

_____ being duly sworn, deposes and says, under penalty of perjury, that: a) he/she is _____ of _____ (Full Legal Name of Corporation); b) he/she has read all statements and answers this DISCLOSURE STATEMENT FORM, including the attached letter of credit/certified copy of credit report or financial statement submitted pursuant to interrogatory number 7 Financial Disclosure; c) he/she is familiar with the books of said corporation showing its financial condition; c) the attached letter of credit/certified copy of credit report or financial statement, taken from the books of said corporation, is a true and accurate statement of the financial condition of said corporation as of the date thereof; and d) that all of the foregoing qualification information is true, complete and accurate.

-----**(Acknowledgement)**-----

_____ being duly sworn, deposes and says, under penalty of perjury, that he/she is _____ of _____ (Name of Bidder) that he/she is duly authorized to make the foregoing affidavit and that he/she makes it on behalf of () himself/herself: () said partnership; () said corporation.

Sworn to before me this _____ day of _____, 20_____, in the County of _____, State of _____.

_____ My commission expires: _____

(Notary Public)

NONCOLLUSIVE BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
- (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

I, hereby certify under the penalties of perjury that the foregoing statement is true.

By: _____ Bidder's Signature	_____ Date
_____ Print Name	_____ Title
_____ Legal Name of Individual or Business Name of Company/Partnership/Corporation	_____ Bidder's Federal Tax Identification # (Do Not Use SS#)
_____ Address	_____ Email Address

[MANDATORY ACKNOWLEDGMENT APPEARS ON FOLLOWING PAGE]

INSURANCE CERTIFICATION

TO BE COMPLETED BY AN AUTHORIZED INSURANCE AGENT

INSTRUCTIONS:

Please complete this Insurance Certification and attach copies of proof of insurance as follows:

- (a) **Commercial General Liability/Automobile Liability:** ACCORD-25 FORM.
- (b) **Worker’s Compensation:** Certificates or affidavits approved by the State Workers’ Compensation Board pursuant to State Workers’ Compensation Law § 57 (2) evidencing proof of workers’ compensation insurance *or* proof of Bidder not being required to secure same.
- (c) **Disability Benefits Insurance:** Certificates or affidavits approved by the State Workers’ Compensation Board pursuant to State Workers’ Compensation Law § 220 evidencing proof of disability benefits insurance *or* proof of Bidder not being required to secure same.
- (d) **Business Interruption Insurance:** Certificates evidencing same.

This form and all supporting documentation must be submitted with this Bid/Proposal even if said information is on-file with the City in connection with another bid, project or contract.

(Name and Address of Bidder)

Name of Bid: _____ Bid Number: _____

(1) Commercial General Liability with completed operations (plus X.C.U. when applicable), to which the City of Long Beach all elected and appointed officials, employees, agents and volunteers have been added as additional insured, with the following minimum limits: \$1 million per occurrence and \$2 million aggregate; and Automobile Liability: \$ 1,000,000.00 Combined single limit (bodily and personal injury/property damage).

Insurance Carrier (Commercial General Liability): _____

Policy Number(s): _____

(2) Worker’s Compensation:

Insurance Carrier: _____ Policy Number(s): _____

(3) The above insurance is effective with New York State admitted insurance companies, and is A rated or equivalent to A rated.

(4) Policy cancellation or non-renewal shall be effective only upon thirty (30) days prior notice by certified mail to:

City of Long Beach, Corporation Counsel, 1 West Chester Street, Room 402, Long Beach, New York 11561

Authorized Insurance Agent’s Signature and Title:

Name, Insurance Affiliation and Address:

_____ DATED: _____

INSTRUCTIONS TO PROPOSERS

Please take Notice: for the purposes of this Request for Proposals (“RFP”), the term “Bid” and “Proposal” shall be interchangeable and shall be used synonymously.

ITB-1 PROPOSAL PREPARATION

Prepare your Proposal on this form using indelible ink. The City shall not be liable for any cost incurred in connection with the preparation of your Proposal. A Proposer may withdraw a Proposal any time prior to the final filing date and time by written notification, signed by an authorized agent, to the contact person listed in the Request for Proposals.

ITB-2 BID DOCUMENTS

Failure to fully comply with any of the requirements or instructions contained within the bid document may constitute sufficient cause for rejection of the Proposal. Such rejections will be subject to the discretion of the Purchasing Agent.

Requests for Proposals will consist of the following documentary components:

- a. Notice to Bidders/Proposers
- b. Instructions to Bidders/Proposers
- d. Proposal Specifications
- f. Bidder’s Qualifications Statement
- g. Addendum to Bid Documents (if issued)

ITB – 3 EXAMINATION OF BID DOCUMENTS AND FAMILIARITY WITH SITE

BEFORE SUBMITTING A BID/PROPOSAL, ALL BIDDERS ARE ADVISED TO CAREFULLY EXAMINE THE BID DOCUMENTS; WHERE THE PROPOSAL CONTAINS PUBLIC WORK OR INSTALLATION THE BIDDER IS ADVISED TO VISIT THE SITE OF THE PROPOSED WORK TO BECOME COGNIZANT OF CONDITIONS AND LIMITATIONS ASSOCIATED WITH FULFILLING REQUIREMENTS OF THE BID DOCUMENTS, INCLUDING BUT NOT LIMITED TO PLANS AND SPECIFICATIONS.

Pleas of ignorance or misunderstanding of conditions that exist, or that may hereafter exist, or of conditions or difficulties that may be encountered in the execution of the work under this Contract, as a result of negligence by failing to make the necessary examinations and investigations as may be expected of a reasonably prudent Bidder, will NOT be accepted as grounds for any excuse on the part of a Contractor to fulfill in every respect all of the requirements of the Bid Documents, nor will such excuses be accepted by the City as a basis for any claims whatsoever for extra compensation, or for an extension of Contract completion time.

ITB-4 INTERPRETATION OF BID DOCUMENTS

If any prospective Bidder/Proposer is unsure of, or has any reservations about, the precise and true meaning of any written or drawn material contained within any of the Bid Documents, or finds apparent discrepancies therein, or possible omissions therefrom, s/he shall promptly submit to the Purchasing Agent, a written request, fully describing the material in question, for an interpretation, explanation or revision thereto. The response to each request for clarification will be made only by an Addendum to the Bid Documents. Neither the City nor the Purchasing Agent may be held responsible or liable for any other explanations or interpretations of these Bid Documents.

ITB-5 ADDENDUM TO BID DOCUMENTS

Any Addendum issued during the bidding period shall become an integral part of the Bid Documents and shall be incorporated in the Bidder's/Proposer's Bid/Proposal. All Addenda shall be acknowledged in the Bidder's Bid/Proposal, by entering the title, date and signature of the person signing the Bid/Proposal.

ITB-6 MODIFICATIONS TO BID DOCUMENTS

Bids/Proposals shall not take exception to, or request modifications for, any item described in the Bid Documents. Oral Bids/Proposals will not be considered.

ITB-7 RIGHTS OF CITY

The City Council, City Manager, and/or Purchasing Agent reserves the right to reject any and all Bids/Proposals and to waive any informalities in the Bids/Proposals received, and to accept the Bid/Proposal most favorable to the interests of the City, after all Bids/Proposals have been analyzed, checked and verified.

ITB-8 TAX EXEMPTION

The Owner is exempt from payment of Sales and Compensating Use Taxes of the State of New York and of cities and counties on all materials and supplies sold to the City pursuant to the provisions of this Contract. These taxes are not to be included in Bids/Proposals.

ITB-9 FORM OF PROPOSAL

EACH PROPOSAL MUST BE MADE IN ACCORDANCE WITH THE INSTRUCTIONS CONTAINED IN THIS RFP AND SHALL BE ATTACHED HERETO AS ONE OF THE BID DOCUMENTS AND SHALL BE SUBMITTED IN A SEALED ENVELOPE BEARING THE NAME OF THE BID, BID NUMBER, AND THE NAME OF THE BIDDER.

THE CITY HEREBY RESERVES THE ABSOLUTE RIGHT TO REJECT ANY PROPOSAL THAT IS NOT MADE IN ACCORDANCE WITH THE INSTRUCTIONS CONTAINED IN THIS RFP.

ITB-10 DELIVERY OF BIDS/PROPOSALS

BIDS/PROPOSALS MUST BE DELIVERED BY THE TIME AND TO THE PLACE STIPULATED IN THE ADVERTISEMENT. IT IS THE SOLE RESPONSIBILITY OF THE BIDDER/PROPOSER TO SEE THAT HIS BID/PROPOSAL IS RECEIVED IN THE PROPER TIME. ANY BIDS/PROPOSALS RECEIVED AFTER THE SCHEDULED CLOSING TIME FOR RECEIPT OF BIDS/PROPOSALS SHALL BE RETURNED TO THE BIDDER/PROPOSER UNOPENED.

ITB-11 CORRECTIONS TO BIDS/PROPOSALS

Erasures or other corrections in the Bid/Proposal must be initialed by the person signing the Bid/Proposal.

ITB-12 WITHDRAWAL OF BIDS/PROPOSALS

Any Bidder may withdraw his/her Bid/Proposal, either personally, or by written request, if such a request is received by the Purchasing Department at any time during normal working hours prior to the scheduled closing time for receipt of Bids/Proposals.

ITB-13 MULTIPLE BID/PROPOSAL SUBMITTALS

Any person, firm or corporation will not be permitted to make more than one Bid/Proposal for the product or service. If a person is a partner, officer or director of more than one firm interested in bidding for the product or services, only one of the firms may submit a Bid/Proposal.

ITB-14 NON-COLLUSIVE BIDDING CERTIFICATION

In accordance with § 103-d of the General Municipal Law, by submission of this Bid/Proposal, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief:

(1) The prices in this bid/Proposal have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder/Proposer or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this bid/Proposal have not been knowingly disclosed by the bidder/Proposer and will not knowingly be disclosed by the bidder/Proposer prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder/Proposer to induce any other person, partnership or corporation to submit or not submit a bid for the purpose of restricting competition.

ITB-15 QUALIFICATIONS OF BIDDERS

A BIDDER'S QUALIFICATIONS STATEMENT IS REQUIRED. The forms attached hereto indicate all the information required. Each Bidder/Proposer shall be responsible for submitting his current Disclosure Statement with his Bid/Proposal. The City retains the right to investigate, verify the information submitted in the Disclosure Statement, and interview all bidders prior to award of the Contract. **THE CITY HEREBY RESERVES THE ABSOLUTE RIGHT TO REJECT ANY BID/PROPOSAL THAT DOES NOT INCLUDE A DISCLOSURE STATEMENT.**

ITB- 16 IDENTIFICATION LABEL

To properly expedite the receipt and processing of bids submitted, the following "Identification Label" must be affixed to the outer envelope of the sealed bid. Bids shall be delivered by U.S. Mail, public carrier (*e.g.* UPS, FedEx), or by hand. **THE CITY HEREBY RESERVES THE ABSOLUTE RIGHT TO REJECT ANY BID/PROPOSAL THAT DOES NOT CONFORM TO THIS SECTION.**

SEALED RFP ENCLOSED

City of Long Beach
Purchasing Department

Proposer's Name/Address: _____

Request for Proposal for:
Bicycle Rental Program

Due Date: January 10, 2022
(If extended: _____)