

REQUEST FOR PROPOSALS

Town of Wellton
28634 Oakland Avenue
P.O. Box 67
Wellton, Arizona 85356

SOLICITATION INFORMATION AND SCHEDULE

Solicitation Title: Billboard Lease – 10815 Dome Street (Water Treatment Plant)

Release Date: 12-5-22

Advertisement Dates: 12-15-22 and 12-22-22 - Yuma Sun

NON-MANDATORY
Pre-Submittal Conference: 1-5-23 - 1:00 p.m. (local time, Wellton, Arizona)
28634 Oakland Avenue
Wellton, Arizona 85356

Proposal Due Date and Time: 1-20-2023 5:00 p.m. (local time, Wellton, Arizona)

Shortlist Announced for Oral Interviews: 1-26-2023

Oral Interviews (if necessary): 2-9-2023

Target Town Council Award Date: 2-21-2023

Anticipated Agreement Start Date: 3-22- 2023

RFP Administrator: Richard Marsh rmarsh@town.wellton.az.us
(928) 785-3348

* In the event that a responding party cannot be selected based solely on Proposals submitted, Oral Interviews may be conducted at the Town's sole discretion.

** The Town of Wellton reserves the right to amend the solicitation schedule as necessary.

TABLE OF CONTENTS

<u>Section</u>		<u>Page</u>
I.	RFP Process; Award of Agreement	1
II.	Proposal Format; Scoring	8
III.	Oral Interviews; Scoring	10
IV.	Respondent Information Form	11

PART I. RFP PROCESS; AWARD OF AGREEMENT

1.1 Purpose; Scope of Work. The Town of Wellton is interested in leasing a portion of the property adjacent to the Town of Wellton Water Treatment Plant, which is located near Interstate 8, at 10815 Dome Street, Wellton, AZ 85356 (the "Property"), as more particularly described and depicted on Exhibit A, attached hereto and incorporated herein by reference. While the Water Treatment Plant consumes a significant portion of the Property, much of it is empty. The Town is issuing this Request for Proposals (this "RFP") to secure proposals ("Proposals") from qualified individuals, companies, and firms to lease an undetermined portion of the empty Property (the "Site"), pursuant to a Lease Agreement, and develop, construct, operate, and maintain a billboard (the "Project"). The goal of this RFP is to create an advertising opportunity for local businesses, and to provide a revenue stream to the Town in the form of lease payments. In addition to the terms and conditions herein, the billboard must meet the following requirements:

A. Design. The billboard shall:

(1) Have a maximum height of 52 feet as measured from the adjacent grade of the interstate roadway to the top of the sign. In no case shall the maximum height exceed 72 feet as measured from the base of the billboard pylon to the top of the sign.

(2) Not exceed 672 square feet in area, excluding detailing and embellishments around the sign face, with a maximum vertical facing dimension of 14 feet and a maximum horizontal facing dimension of 48 feet.

(3) Include no more than two faces, which are not permitted to be vertically or horizontally stacked. Digital billboards that are parallel double-sided or "V" (45-degree maximum angle) shaped shall be considered one structure with each facing subject to the size requirements established above.

(4) The billboard pylon shall be clad in high-quality masonry or other durable, quality materials. The pylon shall be designed to a high architectural standard.

(5) "Wellton," "Wellton, AZ," or the Town of Wellton logo shall be integrated into the pylon design. The text/logo shall be constructed of dark-colored metal or other durable, fade-resistant material and halo-lit. The text/logo should be readable from Interstate 8.

B. Messaging. The billboard shall not simulate or imitate a directional, warning, danger, or informational sign if it is likely, at the discretion of the Town engineer, to be mistaken for any such permitted sign or it is intended or likely to be construed as giving warning to traffic, such as by the use of the words "stop" or "slow down." If digital, the billboard shall:

(1) Be programmed so that one static message or image is displayed at all times, or that multiple static messages or images may be displayed, provided that transitions between such messages or images occur no more than once every eight seconds.

(2) Not contain video, effects of movement, blinking, animation, scrolling, flashing, or similar effects in the individual static digital message or in the transition between messages, and the transition time shall be instantaneous between messages.

(3) Contain a default design that will freeze the device on a single message or shut down if a malfunction occurs. If the ambient light meter fails, the digital billboard shall immediately shut down.

1.2 Preparation/Submission of Proposal. Respondents are invited to participate in the competitive selection process for the solicitation outlined in this RFP. Respondents shall review their Proposal submissions to ensure the following requirements are met:

A. Irregular or Non-responsive Proposals. The Town may 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 Town to make a reasonable determination of compliance with the minimum qualifications. Unauthorized conditions, limitations, or provisions may be cause for rejection. Proposals may be deemed non-responsive at any time during the evaluation process if, in the sole opinion of the Town Manager or authorized designee, any of the following are true:

(1) The respondent does not meet the minimum required skill, experience, or requirements to perform the Project.

(2) The respondent has a past record of failing to fully perform or fulfill contractual obligations.

(3) The respondent cannot demonstrate financial stability.

(4) The respondent’s Proposal contains false, inaccurate, or misleading statements that, in the opinion of the Town Manager or authorized designee, are intended to mislead the Town in its evaluation of the Proposal.

B. Submittal Quantities. Respondents must submit **one hardcopy original and one electronic, searchable text copy (PDF)** of the Proposal on a CD-ROM or similar electronic storage device. The PDF copy must be in one file. Failure to adhere to the submittal quantity criteria shall result in the Proposal being deemed non-responsive.

C. Required Submittal. The Proposal shall be a maximum of **15** pages to address the Proposal criteria (excluding cover letter, resumes, and the Respondent Information Form, but including the materials necessary to address Project understanding, general information, organizational chart, photos, tables, graphs, and diagrams). Each page side (maximum 8 1/2” x 11”) with criteria information shall be counted. However, one page may be substituted with an 11” x 17” sheet of paper, folded to 8 1/2” x 11,” showing a proposed Project schedule or organizational chart and only having information on one side. A cover, back, table of contents, and tabs may be used and shall not be included in the page count, unless they include additional

Project-specific information or Proposal criteria responses. Respondents are encouraged to utilize recyclable materials and endeavor to be considerate of the environment in preparation of Proposals. The minimum allowable font for the Proposal is **11 pt, Arial or Times New Roman**. Failure to adhere to the page limit, size, and font criteria shall result in the Proposal being deemed non-responsive. Each Proposal shall be submitted with the documents necessary to meet all of the requirements of this solicitation, including the information required in Part II below and the following:

- (1) Cover letter with an **original ink signature** by a person authorized to bind the respondent. Proposals submitted without a cover letter with an **original ink signature** by a person authorized to bind the respondent may be determined non-responsive.
- (2) Respondent Information Form, with **original ink signature**.
- (3) References.
- (4) Project Schedule, if required by the Town prior to the submittal deadline.
- (5) Resumes, Licenses, and Certifications (if required for the Project).
- (6) Price Proposal including a lease payment from the respondent to the Town and how the Project will generate revenue, with an **original ink signature**, and the same number of copies as described in Part I, Subsection 1.2(B) (Submittal Quantities) in a separate, sealed envelope enclosed with the respondent's Proposal.
- (7) Acknowledgment page, with an **original ink signature**, for any Addendum received.
- (8) Preliminary design concepts, including drawings indicating proposed design, scale, Site placement within the Property, and materials; Site plan; elevations; photo simulations or 3-D renderings; and sight line studies from at least four viewing angles (east, west, north, and south).
- (9) Financing plan describing how the Project will be financed and identifying any potential financial partners that will be involved in the Project.
- (10) Respondent will be responsible for Operation & Maintenance (O&M) services for the full term of the Lease Agreement. Provide an O&M plan describing the proposed O&M procedures for the Project, detailing duties performed and if the Project will be maintained by the respondent or a third-party provider.
- (11) Decommissioning plan detailing the proposed approach to decommissioning the billboard and restoring the Site. This decommissioning plan should

include a description of the respondent's approach to providing financial assurance that funding will be available to decommission the system at the end of the lease.

(12) Local business utilization plan setting forth how the respondent will make a good faith effort to hire local business enterprises on the Project. The utilization plan.

D. Respondent Responsibilities. All respondents shall (1) examine the entire RFP, (2) seek clarification of any item or requirement that may not be clear, (3) check all responses for accuracy before submitting a Proposal, and (4) submit the entire Proposal by the Proposal Due Date and Time. Late Proposals will not be accepted. A respondent submitting a late Proposal shall be so notified.

E. Sealed Submittals. All Proposals shall be sealed and clearly marked with the RFP title, **Billboard Lease – 10815 Dome Street (Water Treatment Plant)**, on the lower left-hand corner of the mailing envelope. A return address must also appear on the outside of the sealed Proposal. The Town is not responsible for the pre-opening of, post-opening of, or the failure to open, any Proposals not properly addressed or identified.

F. Address. All Proposals shall be directed to the following address: **Town Clerk, 28634 Oakland Avenue, P.O. Box 67, Wellton, Arizona 85356**. Proposals must be received in the Town Clerk's office by the Proposal Due Date and Time indicated on the cover page of this RFP. Telegraphic (facsimile), electronic (e-mail), or mailgram Proposals will not be considered.

G. Time. Periods of time, stated as number of days, shall be calendar days.

H. Proposal Irrevocable. To allow for an adequate evaluation, the Town requires the Proposal to be valid and irrevocable for **120** days after the Proposal Due Date and Time indicated on the cover of this RFP.

I. Amendment/Withdrawal of Proposal. At any time prior to the specified Proposal Due Date and Time, a respondent (or designated representative) 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 (e-mail), 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.

1.3 Cost of Proposal Preparation. The Town does not reimburse the cost of developing, presenting, or providing any response to this solicitation. Proposals submitted for consideration should be prepared simply and economically, providing adequate information in a straightforward and concise manner. The respondent 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 Town and will not be returned.

1.4 Inquiries.

A. Written Inquiries. Any question related to the RFP, including any part of the Scope of Work, shall be directed only to the RFP Administrator whose name appears on the cover page of this RFP. Questions shall be submitted in writing, via e-mail, or hard copy by the date indicated on the cover page of this RFP. Any correspondence related to the RFP shall refer to the title, page, and paragraph. However, the respondent shall not place the RFP title on the outside of any envelope containing questions, because such an envelope may be identified as a sealed Proposal and may not be opened until the Proposal Due Date and Time. Any respondent found to be communicating with any member of Town staff about this solicitation shall be prohibited from submitting a Proposal, or if a Proposal is received, such Proposal shall be deemed non-responsive.

B. Inquiries Answered. All inquiries must be directed to the RFP Administrator in writing as described in Subsection 1.4(A) above. Verbal or telephone inquiries **will not be answered** and respondents attempting to do so will be directed to submit written inquiries. The RFP Administrator shall provide a compilation of all questions received in writing with official answers that will be made available on the Town's website at <https://www.town.wellton.az.us/>. The RFP Administrator shall endeavor to post the compilation not later than five days after the inquiry deadline.

C. Pre-Submittal Conference. A Pre-Submittal Conference may be held. If scheduled, the date and time of this conference will be indicated on the cover page of this RFP. If the Pre-Submittal Conference is designated as mandatory, failure to attend shall render that respondent's Proposal non-responsive. Respondents are strongly encouraged to attend those Pre-Submittal Conferences designated as non-mandatory. The purpose of this conference will be to clarify the contents of this RFP to prevent any misunderstanding of the Town's requirements. Any doubt as to the requirements of this RFP or any apparent omission or discrepancy should be presented to the Town at this conference. The Town may issue a written addendum to this RFP. Oral statements or instructions are provided for informational purposes only and do not become a part of this RFP. Any change to the RFP shall be made in the form of an addendum.

1.5 Addenda. Any addendum issued as a result of any change in this RFP shall become part of the RFP and must be acknowledged in the Proposal submittal. Failure to indicate receipt of the addendum will result in the Proposal being rejected as non-responsive. It shall be the respondent's responsibility to check for addenda issued to this RFP. Any addendum issued by the Town with respect to this RFP will be posted on the Town's procurement website at <https://www.town.wellton.az.us/>.

1.6 Intentionally Omitted.

1.7 Federal Excise Tax; Transaction Privilege Tax. The Town is exempt from Federal Excise Tax, including the Federal Transportation Tax.

1.8 Public Record. All Proposals shall become the property of the Town and shall become a matter of public record available for review, subsequent to the award notification, in accordance with the Town's Procurement Policy.

1.9 Confidential Information. If a respondent believes that a Proposal or protest contains information that should be withheld from the public record, the respondent shall include in the submission a statement advising the RFP Administrator of this fact and the information shall be clearly identified. The information identified by the respondent as confidential shall not be disclosed until the Town Manager or authorized designee makes a written determination. The Town Manager or authorized designee shall review the statement and information with the Town Attorney and shall determine in writing whether the information shall be withheld. If the Town Attorney determines that it is proper to disclose the information, the RFP Administrator shall inform the respondent in writing of such determination.

1.10 Licensing and Registration. Prior to the award of the Lease Agreement, the successful respondent shall be registered with the Arizona Corporation Commission and authorized to do business in Arizona. The respondent shall provide licensure information with the Proposal. Corporations and limited liability companies shall be able to provide a Certificate of Good Standing from the Arizona Corporation Commission.

1.11 Certification. By submitting a Proposal, the respondent certifies:

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

B. No Discrimination. It shall not discriminate against any employee or applicant for employment in violation of Federal Executive Order 11246.

C. 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 Town employee, officer, or agent in connection with the submitted Proposal. It (including the respondent'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 Selection Committee described below, elected officials, the Town Manager, Department Heads, and other Town staff. All inquiries must be addressed to the Town's RFP Administrator. Any attempt to influence the selection process by any means shall void the submitted Proposal and any resulting Lease Agreement.

D. Financial Stability. It is financially stable, solvent, and has adequate cash reserves to meet all financial obligations including any potential costs resulting from an award of a Lease Agreement related to this Project.

E. No Signature/False or Misleading Statement. The signature on the cover letter of the Proposal and the Respondent Information Form is genuine and the person signing has the authority to bind the respondent. Failure to sign the cover letter and the Respondent Information Form, or signing either with a false or misleading statement, shall void the submitted Proposal and any resulting Lease Agreement.

1.12 Award of Lease Agreement.

A. Selection. A Selection Committee composed of representatives from the Town will conduct the selection process according to the schedule listed on the cover page of this RFP. Proposals shall be opened at the time and place designated on the cover page of this RFP. The name of each respondent and the identity of the RFP for which the Proposal was submitted shall be publicly read and recorded in the presence of witnesses. PRICES SHALL NOT BE READ. The Selection Committee shall award the Lease Agreement to the responsible and responsive respondent whose Proposal is determined, in writing, to be the most advantageous to the Town and best meets the overall needs of the Town taking into consideration the evaluation criteria set forth in this RFP. The amount of applicable transaction privilege or use tax of the Town shall not be a factor in determining the most advantageous Proposal. After the Town has entered into a Lease Agreement with the successful respondent, the successful Proposal and the scoring documentation shall be open for public inspection.

B. Line Item Option. Unless the Proposal states otherwise, or unless otherwise provided within this RFP, the Town reserves the right to award by individual line item, by group of line items, or as a total, whichever is deemed most advantageous to the Town.

C. Multiple Award. The Town, at its sole discretion, may elect to enter into Lease Agreements with multiple respondents who are qualified to carry out the Project. The final terms and conditions of the proposed Lease Agreement will be negotiated by the Town with the successful respondents.

D. Form of Lease Agreement. The selected respondent will be required to execute a Lease Agreement in a form acceptable to the Town Attorney. If the Town is unsuccessful in negotiating a Lease Agreement with the highest-scoring respondent, the Town may then negotiate with the second, then third, highest-scoring respondent until a Lease Agreement is executed. Town Council approval may be required. The Town reserves the right to terminate the selection process at any time.

E. Waiver; Rejection; Reissuance. Notwithstanding any other provision of this RFP, the Town expressly reserves the right to (1) waive any immaterial defect or informality, (2) reject any or all Proposals or portions thereof, and (3) cancel or reissue an RFP.

F. Protests. Any respondent may protest this RFP, the proposed award of a Lease Agreement, or the actual award of a Lease Agreement. All protests will be considered in accordance with the Town Procurement Policy.

1.13 Offer. A Proposal is an offer to contract with the Town based upon the terms, conditions, and specifications contained in this RFP and the respondent's responsive Proposal, unless any of the terms, conditions, or specifications are modified by a written addendum or agreement amendment. Provided, however, that no contractual relationship shall be established until the respondent has signed, and the Town has approved, a Lease Agreement between the Town and the respondent in the form acceptable to the Town Attorney.

PART II. PROPOSAL FORMAT; SCORING

2.1 Evaluation Process. Each submittal will be reviewed for compliance with the Proposal requirements by the Selection Committee. If necessary, the Selection Committee may conduct oral interviews with up to three of the highest-ranked respondents based on the Proposal submittal scoring.

2.2 Proposal Format and Scoring. Proposals shall be organized and submitted in the format as outlined below. Failure to conform to the designated format, standards, and minimum requirements shall result in a determination that the Proposal is non-responsive. Additionally, the Selection Committee will evaluate and award points to each Proposal based on the evaluation criteria as outlined in this document. Points listed below are the maximum number of points possible for each criteria; there is no minimum number that the Selection Committee must award.

A. General Information - 10 pts.

(1) One-page cover letter as described in Part I, Subsection 1.2(C) (Required Submittal).

(2) Provide identification information. Explain the respondent's legal organization including the legal name, address, identification number, and legal form of the respondent (e.g., partnership, corporation, joint venture, limited liability company, sole proprietorship). If a joint venture, identify the members of the joint venture and provide all of the information required under this section for each member. If a limited liability company, provide the name of the member or members authorized to act on the company's behalf. If the respondent is a wholly-owned subsidiary of another company, identify the parent company. If the corporation is a nonprofit corporation, provide nonprofit documentation. Provide the name, address, and telephone number of the person to contact concerning the Proposal.

(3) Identify the location of the respondent's principal office and the local work office, if different. Include any documentation that supports the respondent's authority to provide services in Arizona.

(4) Provide a general description of the respondent's organization, including years in business.

(5) Identify any contract or subcontract held by the respondent or the respondent's officers that have been terminated within the last five years. Briefly describe the circumstances and the outcome.

(6) Identify any claims arising from a contract which resulted in litigation or arbitration within the last five years. Briefly describe the circumstances and the outcome.

(7) Respondent Information Form, with an **original ink signature** (may be attached as separate appendix).

B. Respondent's Experience and Qualifications - 30 pts.

(1) Provide a detailed description of the respondent's experience in developing, constructing, operating, and maintaining a billboard.

(2) Respondent must demonstrate successful completion of at least three similar projects within the past 60 months. For the purpose of this Solicitation, "successful completion" means completion of a project within the established schedule and budget, and "similar projects" resemble this Project in size, nature, and scope. Provide a list of at least three organizations for which you successfully completed a similar project. This list shall include, at a minimum, the following information:

- (a) Name of company or organization.
- (b) Contact name.
- (c) Contact address, telephone number, and e-mail address.
- (d) Type of services provided.
- (e) Dates of contract initiation and expiration.

These references will be checked, and it is the respondent's responsibility to ensure that all information is accurate and current. Respondent authorizes the RFP Administrator to verify all information from these references and releases all those concerned from any liability in connection with the information they provide. Inability of the Town to verify references may result in the Proposal being considered non-responsive.

(3) The RFP Administrator may conduct any investigation deemed necessary to determine the respondent's ability to perform the Project. Respondents may be requested to submit additional documentation within 72 hours (or as specified) to assist the Town in its evaluation.

C. Price Proposal - 30 pts. Clearly identify the financial benefit to the Town of the proposed arrangement in the form of lease payments. Include proposed lease terms, if any.

D. Proposal Narrative - 30 pts. The Proposal must include an explanation of how the respondent will approach the various tasks, including scheduling methods, project schedule, construction, financing, revenue generation, operations and maintenance, and decommissioning plans.

Total Possible Points for Proposal:

100

PART III. ORAL INTERVIEWS; SCORING

In the event that a responding party cannot be selected based solely on the Proposals submitted, up to three responding parties may be selected for oral interviews. The selected responding parties will be invited to participate in discussions with the Selection Committee on the date indicated on the cover page of this RFP and awarded points based upon the criteria as outlined below. Responding parties may be given additional information for these oral interviews.

Oral Interview

10	General Information
30	Respondent's Experience and Qualifications
30	Price Proposal
<u>30</u>	Proposal Narrative
100	Total Possible Points for Oral Interview

Total Points Possible for this RFP:

200

PART IV. RESPONDENT INFORMATION FORM

By submitting a Proposal, the submitting party certifies that it has reviewed the administrative information and terms and conditions herein and, if awarded the Lease Agreement, agrees to be bound thereto.

RESPONDENT

FEDERAL TAX ID NUMBER

PRINTED NAME AND TITLE

AUTHORIZED SIGNATURE

ADDRESS

TELEPHONE

FAX #

CITY STATE ZIP

DATE

WEB SITE: _____

E-MAIL ADDRESS: _____

ARIZONA CORPORATION COMMISSION FILE NO. _____

SMALL, MINORITY, DISADVANTAGED, AND WOMEN-OWNED BUSINESS ENTERPRISES (check appropriate item(s):

- _____ Small Business Enterprise (SBE)
- _____ Minority Business Enterprise (MBE)
- _____ Disadvantaged Business Enterprise (DBE)
- _____ Women-Owned Business Enterprise (WBE)

Has the respondent been certified by any jurisdiction in Arizona as a minority or woman-owned business enterprise?

If yes, please provide details and documentation of the certification

EXHIBIT A
TO
REQUEST FOR PROPOSALS

[Legal Description and Depiction]

Section: 05 Township: 09S Range: 18W W1000' OF S900' OF SE4 LYING N & W OF C/L OF
WELLTON CANAL LESS PT LYING S OF INTERSTATE 8 HWY.

(Depiction on the following page)

