

**INSTRUCTIONS TO BIDDERS  
FOR THE LAKEVIEW PARK  
CONCESSION AT PORT CLINTON, OHIO**

The City of Port Clinton, under authority of Section 715.21 of the Ohio Revised Code, desires to bid the operation of a certain public service facilities as described in the Concession Agreement enclosed herein for the purpose of obtaining and assuring highly competent, economic and practical management and operation of such public service facility, and thus furnish services to the public of the highest quality obtainable and at a reasonable cost.

**BIDDING REQUIREMENTS**

**Bid Proposal Form**

The bidder will make a proposal as to the amount of compensation to be paid to the City. In order to be considered, proposals must be based on percentages of the gross receipts derived from the categories of sales as listed on the official Bid Proposal Form. Bids must be based on percentages only and may be extended to increments **no smaller than tenths of a percent**. Bids must not be referenced by the bidder to any given level of sales.

**Bids submitted in any form other than as requested on the official "Bid Proposal Form" will be considered non-responsive to the bid specifications and will not be considered.**

**Non-Collusion Affidavit**

The non-collusion affidavit is a part of this proposal that shall be filled out in full and properly executed by the bidder before the proposal is submitted for consideration. More than one proposal from a bidder under the same or different names will not be considered. Reasonable grounds for believing that any bidder is interested in more than one proposal will cause the rejection of all proposals in which the bidder is interested.

**Bid Bond**

Each bidder shall be required to submit a bid bond in the amount of **five hundred dollars (\$500.00)**. Either the enclosed Bid Bond form, properly endorsed by an established surety company, or a certified check, Cashier's Check, Official Bank Check or Money Order in the above amount payable to the *City of Port Clinton* may be submitted in fulfillment of this requirement. Commercial bid bonds will be returned to all unsuccessful bidders upon the award of the contract, and checks will be vouchered to those bidders who submitted a check or money order in lieu of a commercial bid bond. The Bid Bond will be returned to the successful bidder upon execution of the contract.

**Applicable Law**

The Bidder understands that this contract will be considered as being negotiated in and executed within the State of Ohio and the contract shall be construed according to the laws of this State.

**Qualifications of Bidders**

Corporations bidding (and their guarantor, if applicable) must provide financial statements, which shall include a balance sheet and income statement with appended notes, in the form as included herein, prepared in accordance with generally accepted accounting principles. Such statements shall be provided for the last three complete years. In the case of subsidiaries where separate financial statements of the subsidiary are not generated, the above referenced financial statements of the parent corporation shall be submitted in its place. If a company bidding has a guarantor, the guarantor must also provide a notarized written guarantee. In the event the contract is awarded to

## **INSTRUCTIONS TO BIDDERS**

a company with a guarantor or where a parent corporation-subsidary relationship exists, the guarantor or parent corporation must also sign the contract.

In the case of newly formed corporations where financial statements do not exist, such corporations must submit the financial statements of a guarantor. Such guarantor may be either another corporation, for which financial statements do exist, or an individual. In either such case, the guarantor will be required to fulfill the financial disclosure requirement (financial statement), and will be required to sign the contract with the bidder.

Individuals or other organizations bidding must complete the attached personal financial statement and submit copies of its three most recently filed income tax returns.

Failure to comply with the financial statement requirements will be considered as a disqualification of the bid.

All bidders must also submit the Experience Questionnaire/Plan of Operation, which includes past record, personnel organization and experience, and a plan of operation, other information as requested, and pro forma statement(s). In making a determination as to which is the best bid received in consideration of the public interest, the qualifications of the bidder to accomplish and continue to perform the services contemplated by the contract will be considered of special importance to the City in awarding the contract. Bidders should give special attention to the thoroughness and accuracy of information in their responses to these requirements.

### **Foreign Corporation or Non-Resident**

Before a contract will be awarded to a foreign corporation or a person or partnership non-resident of the State of Ohio, a certificate from the Secretary of State will be required by the City that such corporation is authorized to do business in the State of Ohio or that such person or partnership has filed a Power of Attorney designating the Secretary of State his or its agent for the purpose of accepting service of summons in any action relating to the contract or brought under the provisions of the Workers' Compensation Laws of the State.

### **Subleasing of Properties by Concessionaire**

Per the terms of the contract to be awarded, the awardee of said contract may not subcontract any portion of the properties under contract.

## **BIDDING PROCEDURES**

Sealed bid proposals will be received in the City of Port Clinton, Safety Service Director, Lakeview Park Concession Bid, 1868 E. Perry Street, Port Clinton, Ohio 43452 until 2:00 p.m. on bid opening day. Bids will be publicly opened thereafter by the Safety Service Director or his authorized agent. The right is reserved to reject any and all bids. All properly completed bids received prior to bid opening time will be carefully and objectively reviewed by the City. Any bid(s) received after the bid opening time will not be considered.

Parties interested in bidding for the rights and privileges for such operation shall submit bid proposals which shall be prepared upon the official bid proposal forms.

## ***INSTRUCTIONS TO BIDDERS***

The Sample Concession Agreement included in the bid package is the Agreement form that the successful bidder will be required to sign. No changes to this Agreement form may be made or proposed by the bidder as part of his/her bid.

Bid proposals including all items required by these instructions shall be sealed in an envelope with the bid opening date, time, and facility name on the outside of the envelope. If sending by mail, enclose the bid envelope in a mailing envelope and send. Envelopes without the affixed bid date, time, and facility name posted online may be rejected. The following items are included with the online bid package and become a part of the bid proposal:

1. Official bid proposal form
2. Non-collusion affidavit
3. Experience Questionnaire and Plan of Operation (including pro forma)
4. Financial Statement
5. Bid Bond
6. Envelope (provided by bidder) with the bid number and opening date affixed. (Bid number, opening date, and time provided online)

More than one proposal from a bidder under the same or different names will not be considered. Reasonable grounds for believing that any bidder may have an interest in more than one proposal will cause the rejection of all proposals in which the bidder may have his interest.

### **Completeness of Bid Package**

The physical make-up and content of the bid package provided online by the City is designed to be complete for the preparation and submittal of bids; however, the Bidder shall verify to his own satisfaction that all materials provided online to him, including addenda, are accessible and complete. Should the Bidder discover that a page, sheet, or other item is inaccessible or missing, he shall so notify the City of Port Clinton, and the inaccessible or missing item(s) will be made available by other means to the Bidder. After proposals have been submitted, no claims of ignorance of the requirements due to missing or inaccessible materials will be recognized. If, in the judgment of the City an addendum is required, the City will prepare an addendum and post it online. The City will also send all parties recorded by the City as having been emailed notification of the bid package notice of the newly posted addendum. Each Bidder shall have the responsibility to ensure that the proposal is responsive to all addenda issued. Failure to receive any addenda shall not release the Bidder from the obligations imposed in such addenda.

## **INSTRUCTIONS TO BIDDERS**

### **BID REVIEW PROCEDURES**

Pursuant to the terms of Section 715.21 of the Ohio Revised Code and in accordance with any rules and regulations of the Director, the Concession Agreement will be awarded at a later date to the individual, firm, partnership, association or corporation who submits the highest and best bid.

In reviewing bids, the following criteria, shown with point weights, will be used:

- |     |  |      |
|-----|--|------|
| 1.  | Monetary return to the City  | 1000 |
| 2.  | Experience in the same type of operations, qualifications of key personnel<br>overall operating plan | 500  |
| 3.  | Overall operating plan, including table of organization and staffing plans                           | 500  |
| 4.  | Up-front investment and details  | 400  |
| 5.  | Experience, examples and plans for quality customer service,<br>cleanliness and quality maintenance  | 200  |
| 6.  | Marketing plan and resources devoted to marketing  | 200  |
| 7.  | Financial capabilities of the bidder, including debt ratio   | 50   |
| 8.  | Proposed prices and rates  | 50   |
| 9.  | Employee training plan   | 50   |
| 10. | Contingent liabilities   | 50   |

If any proposals require clarification, the City may request such clarification by bidder(s). The City may require any bidder to furnish additional evidence of his financial condition or ability to perform the obligations and responsibilities imposed by the terms and conditions of the Concession Agreement, and such other information as may be considered desirable by him/her. No bidder will be permitted, in connection with the submission of the above information, to alter any pertinent factors contained in his original proposal. The right is reserved by the City to waive any irregularities in any proposal.

All bidders will be notified as to the results of the bid award. The successful bidder will be required to enter into a lease with the City of Port Clinton.

Questions may be directed to:

Olen Martin-Safety Service Director  
City of Port Clinton  
1868 E. Perry Street  
Port Clinton, Ohio 43452  
Phone: (419)734-5522  
Email: pcssd@portclinton-oh.gov

LAKEVIEW PARK CONCESSION - BID # \_\_\_\_\_

**EXPERIENCE QUESTIONNAIRE &  
CONCESSION PLAN OF OPERATION**

FAILURE TO COMPLETE THIS FORM OR ANY PORTION THEREOF MAY BE CONSIDERED AN INCOMPLETE BID AND THE BID MAY THEREBY BE REJECTED.

In completing the information questions below, feel free to expand the Word Document. Also, attachments to this form are acceptable, provided the additional information is identified by question number.

BIDDING STATUS (check one):

(    ) CORPORATION

(    ) INDIVIDUAL

(    ) PARTNERSHIP

(    ) OTHER (SPECIFY)

Name of Organization \_\_\_\_\_  
(Or Individual)

Business Address \_\_\_\_\_ City \_\_\_\_\_

State \_\_\_\_\_ Zip Code \_\_\_\_\_

Business Phone \_\_\_\_\_ Name of contact \_\_\_\_\_

Organized Date \_\_\_\_\_ Business Purpose \_\_\_\_\_

Present Employment \_\_\_\_\_

If a Corporation: List below the names and addresses of corporate officers and amount of stock owned by each, either legally or equitably. Also, indicate where incorporated and if qualified to do business in the State of Ohio. Give names and addresses of the Board of Directors. Also list address of supervisory office in Ohio or note whether you propose to establish one if you are the successful bidder, if applicable.

If a Partnership, Individual or Other non-corporate Entity: List below the names and addresses of all persons having any financial interest in the organization. Also list address of supervisory office in Ohio or note whether you propose to establish one if you are the successful bidder, if applicable.

LAKEVIEW PARK CONCESSION - BID # \_\_\_\_\_

1. List chronologically other similar businesses presently or heretofore operated by the organization, or by persons having management control of the operation. Include addresses.
2. State the experience, qualifications, and background of all persons having management control of the organization in a similar business.
3. Will you be engaged in any other business or employment in addition to that for which you are bidding? If so, state the nature and location.
4. Have you examined the existing facilities and the list of equipment to be furnished by the City?
5. Have you examined the sample agreement form which you will be required to sign?

Do you understand its contents and requirements?

6. For your record keeping:
  - A. Will you use a public accountant?
  - B. If not, who will keep your records?
  - C. Will you use a general ledger?
  - D. If not, explain your bookkeeping system
7. Give a description in detail of your plan of operation including, but not limited to the following:
  - A. Personnel:
    - (1) List full time employees, position titles, and average numbers of hours per position per week.
    - (2) List part time employees, position titles, and average number of hours per position per week.
    - (3) List name (if known), experience and qualifications of your proposed manager.

- (4) Provide a table of organization.
- B. Below, list the items of food, snack and beverage you will offer for sale, including approximate initial sale prices for such products.
- C. Below, list any other item(s) or service(s) you will offer not covered above.
- D. Below, describe how you will market the facility and park and resources, including financial that will be devoted to marketing.
- E. Explain the organization's experience in and plans for ensuring: quality customer service, cleanliness of facilities, and quality maintenance of facilities. Include examples and a preventive maintenance plan.
- F. List any training the organization's employees receive relative to the jobs they perform and the clientele they serve.
- G. Complete the included pro forma statement for the first full year of operation projecting your expectations of categorical sales, categorical expenditures and profits (before taxes).
- H. Below, detail your proposed inventory investment relative to operating equipment, furnishings and supplies. List must also reflect amounts of investment.
- I. How much working capital, over and above the initial inventory investment are you prepared to provide?
- J. Approximately what portion of the aggregate of initial equipment inventory investment and working capital do you plan to finance?

How will you finance?

LAKEVIEW PARK CONCESSION - BID # \_\_\_\_\_

8. Have you ever been bonded?

Have you ever been refused a bond?

Name of bonding company that has written a surety bond for you:

Name of Bonding Company	Address	Amount
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Name of company (or bank) that will write a surety bond (or letter of credit) for you:

9. List three credit references:

Name:	Address:	Phone Number
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10. List three professional references:

Name:	Address:	Phone:
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11. Liens, Suits, Judgments, Defaults, and Contingent Liabilities:

A. Have you ever been adjudicated as bankrupt?

B. Have you or your company ever failed to fulfill the requirements of a lease or contract?

C. Are there any judgments, suits, or claims pending against you?

D. Are you acting as endorser for others on their notes or accounts? (If answer is yes, you must include this amount as a contingent liability on your financial statement.)

E. Explain fully any affirmative answers to Question 11.

12. Complete the attached confidential Financial Statement if bidding as an individual or partnership. If



bidding as a corporation, submit financial information for the last three years, using the forms included in the bid package according to the Instructions to Bidders, along with supporting documentation.

13. You may, if you desire, provide a narrative that would include anything you feel might assist the City in evaluating your experience, finances or plan of operation.

The subscriber of this questionnaire, including the pro forma and financial statement, guarantees the truth

LAKEVIEW PARK CONCESSION - BID # \_\_\_\_\_

and accuracy of all statements and of all answers to interrogatories herein made. The City of Port Clinton is authorized to make any inquiries deemed necessary to verify the accuracy of the information herein, including but not limited to, procuring consumer reports from consumer reporting agencies, obtaining credit information from financial institutions and extenders of credit, present and past employers and references.

\_\_\_\_\_  
Signature of bidder

State of \_\_\_\_\_) :SS

County of \_\_\_\_\_)

Personally appeared before me the above \_\_\_\_\_  
who swore to the truth of the above statement and subscribed to it before me a Notary Public this  
\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

**PROPOSAL  
TO THE CITY OF PORT CLINTON  
FOR CONCESSION STAND OPERATION AT  
LAKEVIEW PARK**

**BID # \_\_\_\_\_ FROM: SIGNING OF CONCESSION AGREEMENT TO:**

Proposals to be opened in the City Hall Offices, City of Port Clinton, 1868 E Perry Street, Port Clinton, Ohio 43542 at 10:00 a.m. on \_\_\_\_\_.

The undersigned, having full knowledge of all conditions and information presented in the Instructions to Bidders and Sample Concession Agreement agrees to compensate the City of Port Clinton for the privilege of conducting general concession operations by paying the following:

\_\_\_\_\_ (%) percent of the annual gross receipts derived from Food Sales

\_\_\_\_\_ (%) percent of the annual gross receipts derived from All Other Receipts

\_\_\_\_\_ (%) percent of the annual gross receipts derived from Other (Please Specify)

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

**(BIDDER MUST COMPLETE ALL ABOVE SPACES)**

\_\_\_\_\_  
Name of Corporation, Association, Partnership  
or Individual

BY: \_\_\_\_\_

## **FINANCIAL STATEMENT**

### **(CONFIDENTIAL)**

Corporations bidding (and their guarantor, if applicable) must provide financial statements, which shall include a balance sheet and income statement with appended notes, in the form attached hereto, prepared in accordance with generally accepted accounting principles. Such statements shall be provided for the three previous complete years. Information on the current year-to-date may also be provided. In the case of subsidiaries where separate financial statements of the subsidiary are not generated, the above referenced financial statements of the parent corporation shall be submitted in its place.

Individuals or other organizations bidding must complete the attached personal financial statement and submit copies of its three most recently filed income tax returns.

The City reserves the right to require additional financial information.

**BALANCE SHEET**For \_\_\_\_\_  
(Name of Bidder)Fiscal Year  
Period: \_\_\_\_\_

ASSETS	2016	2015	2014
<b><u>Current Assets:</u></b>			
Cash			
Accounts receivable			
Notes receivable			
Inventories			
Prepaid expenses			
Other: _____			
<b><u>Land, Building and Equipment:</u></b>			
Land and improvements			
Buildings			
Equipment and computers			
Furniture and fixtures			
<b><u>Less accumulated depreciation:</u></b>			
Net land, bldg & equip			
<b><u>Other Assets:</u></b>			
Investments			
Other: _____			
<b>LIABILITIES AND STOCKHOLDERS' EQUITY</b>			
<b><u>Current Liabilities:</u></b>			
Accounts Payable			
Notes Payable			
Current mortgage payable			
Current long-term debt payable			
Federal income taxes payable			
State and local taxes payable			
<b><u>Long-Term Debt:</u></b>			
Mortgage payable			
Note payable			
Deferred rent			
Other: _____			
<b><u>Stockholders' Equity:</u></b>			
Common Stock			
Authorized shares, _____			
Issued shares, _____			
Retained earnings			

**INCOME STATEMENT**

For \_\_\_\_\_ Fiscal Year  
(Name of Bidder) Period: \_\_\_\_\_

	2016	2015	2014
<b><u>Revenues:</u></b>			
Net sales	_____	_____	_____
Other income			
<b><u>Costs and Expenses:</u></b>			
Cost of goods sold			
Selling, general, & administrative			
Interest and debt expense			
<b><u>Income before income taxes:</u></b>			
<b><u>Income Taxes:</u></b> Current			
Federal State and local			
Deferred - federal			
 Net income			

**If Self-Employed: Condensed Profit and Loss Statement for Fiscal Year Ended \_\_\_\_\_, 20**

<b>Expense</b>	<b>Amount</b>	<b>Income</b>	<b>Amount</b>
<b>Inventory at Beginning of Period</b>		<b>Net Sales</b>	
<b>Add-Purchases During Period</b>		<b>From Investments</b>	
<b>Less-Inventory at Close of period</b>		<b>From Discounts on Purchases</b>	
<b>Cost of Material or Merchandise Consumed</b>		<b>From other Sources — Itemized below</b>	
<b>Actual Expense of Conducting Business Including Rent, Taxes, insurance, etc...</b>			
<b>Interest on Borrowed Money</b>			
<b>Bad Debts Charged off</b>			
<b>Depreciation Charged off</b>			
<b>Withdrawals by Proprietor</b>			
<b>Net Profit</b>			
<b>TOTAL</b>		<b>TOTAL</b>	

**Salary bonuses and withdrawals of proprietor during year \$**

**CONFIDENTIAL**

**PERSONAL FINANCIAL STATEMENT**

**CONFIDENTIAL**

**Personal Information**

Full Name			
Present Address - Own Rent Years			
Source of Income		ANNUAL INCOME	
Name and Address of Employer - How Long Phone:		Salary	\$
		Bonus and Commissions	
		Dividends and Interest	
		Net Rental	
		♦Other	
		TOTAL	\$
Position/Title		Previous Employer - How Long (complete if current job held less than two years)	
Type of Business		Type of Business	Position/Title

**\* Confidential to the extent allowable by law \***



# Summary Asset - Liability Statement - Enter Details on Corresponding Schedule Inside

ASSETS		LIABILITIES AND NET WORTH	
Cash and Money on Deposit (Schedule A)	\$	Notes Payable (Schedule F)	\$
Stocks and Bonds (Schedule B)			
Accounts and Notes Receivable (Schedule C)		Accounts Payable	
Cash Value Life Insurance (Schedule D)		Life Insurance Loans	
Deferred Assets		Unpaid Taxes	
Pension Funds		Real Estate Mortgage/Liens	
Real Estate Owned (Schedule E)		Installment Loans (Schedule G)	
Vehicles Owned			
		Other Debts (Itemize)	
Other Personal Property			
Other Assets		Total Liabilities	\$
		Net Worth	
Total Assets	\$	Total Liabilities and Net Worth	\$

# ASSET - LIABILITY DETAILS

## Schedule A

### CASH, CHECKING, NOW ACCOUNTS, SAVINGS ACCOUNTS, C.D.'S SCHEDULE OF CASH ACCOUNTS

Name of Depository	Type of Account	Account Number	In Name Of	Approximate Balance	Pledged YES
<b>TOTAL</b>				\$	

## Schedule B

### SCHEDULE OF STOCKS AND BONDS

Number	Description	In Name Of	Market Value	Pledged YES
<b>TOTAL</b>			\$	

## SCHEDULE OF ACCOUNTS AND NOTES RECEIVABLE

Description	Owed By	Due Date	Amount Due	G = Good D = Doubtful
TOTAL			\$	

## SCHEDULE OF LIFE INSURANCE CARRIED

Name of Insurance Company	Type	Benefit Value	Beneficiary	Cash Value	Loans Against Cash Values
			TOTAL	\$	\$

## Schedule E

SCHEDULE OF REAL ESTATE OWNED						
1. Property Address 2. Title in Name of 3. Name of Mortgage Holder	Type	#of Ownership	Date Acquired	Purchase Price	Market Value	Amount of Mortgages & Loans
1.				\$	\$	\$
2.						
3.						
1.						
2.						
3.						
1.						
2.						
3.						
1.						
2.						
3.						
1.						
2.						
3.						
TOTALS					\$	\$

## Schedule F

Schedule of Notes - Payable				
Owed To (Name and Business)	Date Opened	Date Due	Approximate Amount Owed	Secured YES NO

**Schedule G**  
**SCHEDULE OF INSTALLMENT LOANS/OBLIGATIONS/CREDIT REFERENCES**

Purpose and Date Opened	Owed To (Name and Address)	Account Number	Monthly Payment	Balance Owed or Date Paid	Secured YES NO	
<b>TOTALS</b>				\$	\$	