

**REQUEST FOR PROPOSALS**  
**FOR**  
**STATEWIDE WI-FI & BROADBAND INTERNET CONCESSION**



**Opening Date**  
October 23, 2020

**Closing Date**  
December 3, 2020

STATE OF CALIFORNIA – NATURAL RESOURCES AGENCY  
DEPARTMENT OF PARKS AND RECREATION  
PARTNERSHIPS DIVISION  
1416 NINTH STREET, 14<sup>TH</sup> FLOOR  
SACRAMENTO, CA 95814



RFP #P19CA011

## NOTICE OF REQUEST FOR PROPOSALS

Notice is hereby given that the California Department of Parks and Recreation (State) is now accepting proposals for the concession operation described below.

Concession Name:	Statewide Wi-Fi and Broadband Internet Concession
Operation Category & Type	Retail – Miscellaneous
Operation Description	Provide a statewide Wi-Fi “pay as you go” service at pre-determined park locations
Park Units:	Statewide
Proposal Closing Time & Date:	December 3, 2020, 2:00 PM
Proposal Submission Location:	California Department of Parks and Recreation Partnerships Division 1416 Ninth Street, Room 1431 Sacramento, CA 95814
Contract Term:	10 Years
Minimum Rent Guarantee:	Guaranteed minimum rent of one dollar (\$1) per month or eight percent (8%) of Monthly Gross Receipts, whichever is greater.
Capital Outlay Requirement:	No minimum (but zero cost to State)
Special Account Requirement:	Guaranteed minimum deposit of two percent (2%) of Monthly Gross Receipts into a Facility Improvement and IT Services Account (FIISA).
Proposal Bond (due at time of proposal submission):	\$5,000
Performance Bond (due at time of Contract execution):	Amount To Be Negotiated at Time Of Contract Execution
Proposer’s Minimum Years of Relevant Experience:	5 Years relevant experience
Pre-Proposal Presentation Video:	Available October 23, 2020 through December 3, 2020

For more information about this RFP, please contact Kellie Weikle at (916) 651-7678 or [kellie.weikle@parks.ca.gov](mailto:kellie.weikle@parks.ca.gov).

DocuSigned by:  
  
 8637583D53AB4CD...  
 Director Armando Quintero

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## **SECTION 1 - PROJECT SUMMARY**

### **1.1 GOAL & OBJECTIVES**

#### **Department Mission**

The California Department of Parks and Recreation's mission is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.

#### **Goal of this Request for Proposal**

The purpose of this Request for Proposal (RFP) is to obtain proposals to provide a fully managed statewide Wi-Fi and broadband internet connectivity service within 113 mandatory State Parks and 101 optional State Parks within the 21 field districts, which comprise the California State Park (State) system. Connectivity service for the mandatory sites must be complete within twenty-four (24) months of contract execution and the optional sites must be complete within thirty-six (36) months of contract execution. For a list of the mandatory and optional State Parks, see Sample Contract Exhibit A. The proposer's solution must include a "no up-front cost", fully managed service model to support the various connectivity solutions such as (1) enhanced Wi-Fi for park visitors, (2) Wi-Fi for park partners (e.g. other concessionaires, cooperating associations), (3) other visitor service enhancements, such as extending the broadband infrastructure to remote park areas to accommodate electronic payments from visitors as well as incidental use of Wi-Fi for State Parks. The managed service model must include installation and maintenance of all equipment and infrastructure, 24/7 help desk, direct billing, Service Level Agreement (SLA), reporting, analytics, and technology refresh.

The scope of this solicitation focuses on providing a Wi-Fi internet service with a "pay as you go" plan to park visitors while they are visiting a park for up to 30 days. The service must also allow visitors to transfer and use any unused portion of a paid service to any other park offering the pay as you go Wi-Fi service without any additional cost to that same park visitor. The Wi-Fi service must also be made available to those park partners that wish to subscribe to the service. The proposer's solution must provide for a simple user experience.

#### **Objectives of this RFP**

The proposer agrees to provide the State with a statewide Wi-Fi and broadband connectivity service as described herein.

### **1.2 CONCESSION CONTRACT SUMMARY**

The ten (10) year concession contract will provide for the operation of a statewide Wi-Fi internet broadband connectivity "pay as you go" service to California State Park visitors. The intent of the concession contract is to provide the public with high-quality, reasonably priced Wi-Fi broadband connectivity service to enhance the visitor's experience.

The following is a summary of important concession contract provisions. It is critical for proposers to understand all the terms and conditions of the Sample Concession Contract included herein. If a proposer is awarded a concession contract, the successful proposer has 30 days to review and sign the awarded concession contract. The successful proposer will be expected to accept the provisions of the Sample Concession Contract as written. If necessary, minor clarifications may be made prior to execution of the concession contract.

**At a minimum, the successful Proposer will be required to:**

Provide an implementation approach for a statewide Wi-Fi broadband internet service that shall have minimal impact to existing park operations and visitors. The approach should take into consideration the limitations that exist throughout California State Parks, including at a minimum, remote access, locations, available physical space, historic buildings, coastal commission restrictions, power (or lack thereof), and availability of staff for implementation coordination purposes.

1. Pay as minimum monthly rent as presented in the proposal, which shall be one dollar (\$1) or eight percent (8%) of monthly gross receipts, whichever is greater, plus a minimum of two percent (2%) of monthly gross receipts deposited into a Facility Improvement and IT Services Account (FIISA). At the State's direction, the FIISA will be used by the concessionaire to facilitate additional connectivity projects to enhance park safety and the visitor experience using the concessionaire's connectivity infrastructure within each park.
2. Implement all plans required in the RFP, Section 3, of the Proposal, that clearly demonstrates the proposer's plan to provide services. The plans will become exhibits of the final concession contract subject to State review and approval.
3. Maintain the premises, facilities and equipment in good condition in accordance with State standards and concession contract provisions.
4. Provide a continuing Performance Bond throughout the term of the contract.
5. Pay for all taxes applicable to the operation of the concession and all utility services as required by the concession contract.
6. Provide and maintain valid insurance as required by the concession contract, including but not limited to commercial general liability and worker's compensation.
7. Obtain all necessary licenses, permits, and approvals as set forth in the concession contract and abide by all applicable health, safety, and environmental codes and regulations.
8. Comply with the letter and spirit of current and subsequent guidelines or plans, including Park Unit General Plan amendments or updates, management and interpretive plans, historic structure reports, and others that may apply.
9. Demonstrate compliance with labor laws as specified in the RFP.

**The successful proposer will not:**

1. Provide sales or services considered inappropriate, deemed objectionable, or denied by the State.
2. Charge prices in excess of those approved by the State.
3. Promote or participate in activities that are incompatible with the rules, regulations, guidelines, or the mission of the State.

**Note: This concession contract summary is for general information only. Terms and conditions are set forth in detail in the Sample Concession Contract.**

## SECTION 2 - THE RFP PROCESS

### 2.1 PROPOSAL PROCESS

#### Tentative Proposal Key Action Dates

TABLE 2-1: KEY ACTION DATES (KAD)		
Item	Action	Date and Time
1.	Release of Solicitation	October 23, 2020
2.	Pre-Proposal Presentation Video	October 23, 2020
3.	Due date to submit Letter of Intent to Bid and written questions	November 3, 2020
4.	State response to written questions due to proposers	November 10, 2020
5.	Due date for Final Proposal Submission	December 3, 2020
6.	Final proposal Evaluation Period	December 2020
7.	Notification of Award	January 2021
8.	Contract Execution	January – February 2021

**Note:** This schedule does not consider unforeseen factors that could impact the timing of the project. It is the intent of the State to keep proposers apprised of changes in the schedule as they occur. Should the award of the concession contract be protested, additional time will be required to resolve the matter.

#### Pre-Proposal Meeting Video

It is strongly recommended that the proposer or designated representative view the pre-proposal meeting video available here from October 23, 2020 through December 3, 2020. The meeting provides an equitable forum for all proposers to:

- 
- Learn about the RFP process, including procedures for questions and answers, proposal submission, and concession contract award;
- See photos of a representative concession site and receive information on the vision for the statewide project;
- Review the RFP document.

#### Letter of Intent to Bid and RFP Content Questions

All proposers must submit a Letter of Intent to Bid along with any questions related to the content of the RFP. The Letters of Intent to Bid and questions must be received by the Department on November 3, 2020 by 2:00 p.m., otherwise they will not be accepted. Proposers who submit a proposal but fail to submit a Letter of Intent to Bid by the deadline above will be disqualified. To ensure fair competition, all proposers will receive the same information and materials; no telephone or personal inquiries about this RFP

will be answered. The Letter of Intent to Bid and RFP content questions shall be submitted in writing to the State by mail, email or fax at the contact information listed below. A written compilation of all questions and answers, and any RFP errata, will be posted on Cal e-Procure at [www.caleprocure.ca.gov](http://www.caleprocure.ca.gov) (or emailed/mailed upon request). Questions will be answered as clearly and completely as possible without jeopardizing the competitiveness of the proposals. Proposers should send their Letter of Intent to Bid and RFP questions addressed to:

California Department of Parks and Recreation, Partnerships Division  
1416 Ninth Street, Room 1442-7  
Sacramento, CA 95814  
Attn: Kellie Weikle  
Fax: (916) 657-1856  
Email: [kellie.weikle@parks.ca.gov](mailto:kellie.weikle@parks.ca.gov)

### **Proposal Bond**

Proposals must be accompanied by a Proposal Bond or cashier's check payable to the State of California, Department of Parks and Recreation, in the amount of five-thousand dollars (\$5,000). By submitting a proposal bond the proposer agrees that the bond may be cashed and retained by the State. If a cashier's check is submitted it will be cashed by the State. In the event the proposer fails to execute the concession contract, the bond or cashier's check will be retained by the State. Further, by submitting a proposal, proposer agrees that the State will suffer costs and damages not contemplated otherwise should proposer be awarded the concession contract but fail to execute and proceed with the concession contract, the exact amount of which will be difficult to ascertain. Accordingly, it is agreed that such retained sums shall not be deemed a penalty, but, in lieu of actual damages, shall represent a fair and reasonable estimate of damages to the State for failure of the proposer to execute and proceed with the concession contract upon notification of award by the State. Bonds will be returned to all proposers once the concession contract is executed with the best responsible proposer.

### **Proposal Submission**

The proposal must be received by 2:00 p.m. PST on December 3, 2020 at:

California Department of Parks and Recreation, Partnerships Division  
1416 Ninth Street, Room 1431  
Sacramento, CA 95814

### **Proposal Format & Content**

The proposal package must be sealed and clearly marked on the outside with "RFP # P19CA011". Please submit one (1) original plus four (4) copies of the proposal in 8.5" x 11" three-ring binders. All material should be presented in an 8.5" x 11" portrait format with tabs for each section. Larger formatted graphic exhibits are acceptable if folded to fit within the 8.5" x 11" three-ring binder. **All proposals must be typed.** Hand-written proposals (aside from conceptual drawings) will not be accepted and the RFP proposal will be rejected. The original proposal binder must also include the following:

- A complete Concession Proposer Questionnaire (DPR 398) Checklist

- An electronic version of the DPR 398, plans and all supplemental information saved to an enclosed CD or USB in Microsoft Word or comparable format.

### **Confidentiality of Proposals**

All proposals submitted to an RFP, which include the DPR 398 and applicable plans, are considered components of the “standard form of questionnaire” as references in Public Resources Code Section 5080.08(a) and become the property of the State. The proposals are subject to the requirements of the California Public Records Act (California Government Code Section 6250 et. seq.). The proposer must clearly identify in writing, within the body of the proposal, all copyrighted material, trade secrets, or other proprietary information the proposer claims are exempt from disclosure under the Public Records Act, this includes denoting where the confidential material begins, ends, and the specific reason(s) for the exemption. Proposers claiming exemption must include the following statement in their proposal:

*The proposer agrees to indemnify and hold harmless the State, its officers, employees, and agents from any claims, liability or damages against the State, and to defend any action brought against the State for proposer’s refusal to disclose such material, trade secrets, or other proprietary information to any party. Proposer acknowledges and understands that State may release information in the proposal claimed by proposer to be exempt from disclosure under the Public Records Act, and that proposer waives any claims against the State for this release.*

Failure of a proposer to include this statement and/or identify in writing the claimed exempt material shall be deemed a waiver of any exemption from disclosure under the California Public Records Act. In the event of a protest to State’s Notice of Intent to Award a concession contract, State may, in its sole discretion, release any or all of the contents of the proposals to the proposers for purposes of hearing and adjudicating the protest. Requests by proposers to review the winning proposals will be allowed, with the exception of financial statements, for purposes of protesting the Notice of Intent to Award and only within the 10 days following said Notice. Once a fully executed concession contract is signed and approved by the State the contract is open to public inspection. Pursuant to Public Resources Code Section 5080.08(b), the proposal questionnaire and financial statements will not be open to public inspection unless they are to be referenced as a result of a civil action or criminal prosecution by the State.

### **Withdrawal of Proposals**

Proposals may be withdrawn at any time prior to the proposal closing date and time, provided that a written request executed by the proposer or his/her duly authorized representative for the withdrawal of such proposal is filed with the State. The withdrawal of a proposal shall not prejudice the right of a proposer to file a new proposal prior to the proposal closing date and time. However, once the proposal closing date and time has passed, proposals shall be irrevocable.

## **2.2 EVALUATION PROCESS**

This section identifies how the State will evaluate each proposal in a manner that preserves the integrity of the RFP process. Proposals will be evaluated based on

compliance with all solicitation requirements, using mandatory pass/fail criteria. The evaluation of each component will be made by consensus of the Concession Contract Award Board. The maximum points available for the Mandatory Technical Requirements is 2000 points. Please refer to Section II.B., Implementation and Operation Plan, for the detailed technical requirements.

### **Verification of Proposal Information**

The State may obtain credit reports and verify tax form information to further establish the qualifications of any proposer. All proposers may be subject to a personal interview prior to award. Proposers should notify bank and business references in writing that a representative from the State will be contacting them concerning the financial information furnished to the State with the proposal.

### **State's Right to Reject Proposals, Waive Defects and Requirements**

The State reserves the right to accept or reject any or all proposals, and waive any or all immaterial defects, irregularities, or requirements in the RFP for the benefit of the State, so long as such waiver does not give any proposer a material advantage over other proposers. A proposer shall not be relieved of his/her proposal nor shall any change be made in his/her proposal due to a proposer error.

### **Supplemental Information**

At its sole discretion, the State reserves the right, but does not have the obligation, to seek supplementary information or clarification from any proposer at any time between the dates of proposal submission/acceptance and the concession contract award. The State may obtain credit reports and/or make background inquiries to further establish the qualifications of any proposer. Proposers may be required to make a presentation to the Concession Contract Award Board.

### **Proposal Evaluation**

All proposals received shall be evaluated for form and content in accordance with the requirements of this RFP. Upon receipt of only one proposal for this concession and at the State's discretion, a Concession Contract Award Board may be convened to evaluate and score the proposal. Upon receipt of more than one proposal, a Concession Contract Award Board will evaluate and score each eligible proposal pursuant to the point system and selection criteria as described in the Proposal Instructions and Proposal Evaluation Sheet.

### **Concession Contract Award Board**

Concession Contract Award Boards are appointed by the Director of the California Department of Parks and Recreation, or his or her representative, and convened to review, evaluate, and rate each proposal received to make a recommendation to the Director regarding the selection of the "Best Responsible Proposer". If an Award Board is convened for this RFP, the members may include park staff with related expertise, such as Field Division Chief, Deputy Director, Park Design/Construction staff, Information Technology, or District Superintendent, and representatives from other public agencies or the private sector. The Award Board may include individuals associated with Park Districts with premises referenced in this RFP and Sample Contract.

### **Concession Contract Award**

If an award is made, the award for a concession contract will be to the “Best Responsible Proposer” in accordance with California Public Resources Code Section 5080.23. The “Best Responsible Proposer” will be the proposer whose proposal passes each of the required elements and receives the highest total score as determined by the Concession Contract Award Board and as approved by the Director. In the event of only one proposal for this concession contract, the State may award the contract upon determining the one proposal passes each of the required RFP elements. Execution of the awarded concession contract is subject to approval by controlling agencies of the State, which include the Department of General Services and the Attorney General, and will not be binding on the State or the successful proposer until such approval is obtained. In the event the State does not identify a “Best Responsible Proposer” through the bid process, the State may negotiate a concession contract under the provisions of California Public Resources Code Section 5080.16(a).

### **Protest of Award**

Based on California Code of Regulations, Title 14, Division 3, Chapter 3, Section 4400 and California Department of Parks and Recreation policy, within ten (10) days after the State has issued a notice of intent to award a concession contract for a term in excess of two (2) years following a RFP, any proposer who submitted a proposal for that specific RFP may file a written statement of protest against awarding of the contract with the Director of the California Department of Parks and Recreation. The statement shall be signed by the protestor, shall specify the grounds for the protest and may include a demand for a hearing. Failure to file a verified petition within the ten (10) day period shall constitute a waiver of the right to protest. Protests must be sent to:

Director  
California Department of Parks and Recreation  
P. O. Box 942896  
Sacramento, California 94296-0001  
Fax: (916) 657-3903

A copy of the protest must be served on the Attorney General within the ten (10) day period by the proposer. Serve the Attorney General at:

State of California  
Department of Justice  
Office of the Attorney General  
Land Law Section  
1300 I Street  
Sacramento, California 95814  
Fax: (916) 322-5609 or (916) 327-2319

If a protest is timely served and a hearing is demanded, or if the Director on his or her own motion orders a hearing, proceedings shall be conducted according to the Administrative Procedure Act, and the protest statement shall be treated as a Statement of Issues (Govt. Code 11504). Issues not raised in the protest statement are deemed waived. The filing of a protest does not prevent the State from awarding the contract.

Any recommendation or decision of the hearing officer shall be submitted to the Director for approval, adoption, modification, disapproval, or other interlocutory or final action. If a hearing is not so demanded or ordered, the action of the Director shall be final.

## **2.3 CONTRACT EXECUTION**

### **Preparation of Contract**

Subsequent to the award of a contract, if an award is made, the State will prepare a final contract for execution. The contract will contain "exhibits" developed from the selected proposal. Minor changes or modifications to the contract, proposal plans, and contract exhibits may be made prior to execution based on agreement between the State and concessionaire. However, no material changes to the concession contract or its exhibits as presented in the RFP and in the selected proposal may be made.

### **Performance Bond and Insurance**

The successful proposer will be required to submit a Performance Bond (or other approved surety) and evidence of insurance required under the contract. Failure to submit the bond and/or insurance verification within the time limit presented may be treated as a refusal to execute, if the State so elects, and the State may take the Proposal Bond and select the next Best Responsible Proposal.

### **Failure to Sign/Deliver Contract**

A failure of the successful proposer to sign and deliver the contract within thirty (30) days of receipt may be treated as a refusal to execute, if the State so elects, and the State may retain the Proposal Bond and select the next Best Responsible Proposal.

## SECTION 3 - THE PROPOSAL

### 3.1 INSTRUCTIONS FOR THE CONCESSION PROPOSAL

The following instructions prescribe the format and content of proposals to be submitted and the Sample Contract to be executed between the State and the successful proposer.

If a proposer discovers any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document, the proposer shall immediately notify Concession Specialist Kellie Weikle at (916) 651-7678 or [kellie.weikle@parks.ca.gov](mailto:kellie.weikle@parks.ca.gov) of such error in writing and request clarification or modification of the document.

Modifications will be made by errata. Such modifications shall be given by written notice to all parties who have identified themselves as proposers without divulging the source of the request. Insofar as practicable, the State will give such notices to other interested parties, but the State shall not be responsible therefore.

If the solicitation document contains an error known to the proposer, or an error that reasonably should have been known, the proposer shall bid at its own risk. If the proposer fails to notify the State of the error prior to the date fixed for submission of proposals, and is awarded the Contract, the proposer shall not be entitled to additional compensation or time by reason of the error or its later correction.

A completed Concession Proposer Questionnaire Checklist, Concession Proposer Questionnaire form (also known as DPR 398) and a Proposal Bond will constitute the proposal. Proposer must complete all sections, respond to all questions, and fill in all blanks within the form. Inapplicable questions or blanks should be marked "N/A" or "Not Applicable". Failure to properly complete the form may disqualify the proposal.

The proposal must be clear and unambiguous. It should clearly commit the proposer to enter into a contract with the State to provide the services and other concession improvements as required by this RFP and offered in the proposal. Financial commitments must be made and conditional only on contract execution.

The submission of a proposal shall be deemed evidence that the proposer is aware of the responsibilities of being a concessionaire and has carefully examined State laws relating to California State Park concessions; possessory interest tax as related to concessions; the site(s) selected for said concession; obligations and responsibilities related to local control agencies and permitting requirements; and the proposal instructions, proposal form, and the sample concession contract included herein.

#### I. PROPOSER INFORMATION

##### A. Proposer Identification

This section should be completed to reflect contact information for the business, proposer, and a point of contact.

##### Small Business Status

If the business is a Small Business (SB) or Disabled Veteran Business Enterprise (DVBE) they must enter their Office of Small Business (OSB) identification number and the proposal must include a copy of the Small Business Certification.

To ensure a certifiable document, applications should be submitted to OSB well before the proposal closing day and properly identify a business type consistent with this RFP. It is the proposer's responsibility to contact OSB to verify the completeness of the application. Incomplete documents are not certifiable. Proposers may obtain an application for Small Business Certification from:

Office of Small Business and DVBE Certification  
707 Third Street, 1<sup>st</sup> Floor, Room 400  
West Sacramento, CA 95605  
(800) 559-5529 or (916) 375-4940  
Fax: (916) 374-4950

A non-profit organization may qualify for the same preference points as a small business if registered with the OSB.

## **B. Business Information**

Select the type of business that describes the proposing entity (Sole Proprietorship, Partnership, Joint Venture, Limited Liability Company or Corporation) and provide the requested information. The type of business must be established prior to submitting a proposal. All proposals must include documentation that they can do business within the State of California.

- Sole Proprietorships: operating under a business name shall include proof of registered fictitious business name.
- Partnerships: shall include a copy of the Partnership Agreement which clearly describes the role of each partner.
- Joint Ventures: shall include a copy of the Joint Venture Statement/Agreement which clearly describes the role of each member in the joint venture.
- Limited Liability Companies (LLC): shall include a copy of their Articles of Organization with the California Secretary of State seal (LLC-1 or LLC-5) and the Statement of Information (LLC-12) to identify the managing member or members of the organization.
- Corporations: shall include a copy of the Articles of Incorporation with the California Secretary of State seal, and a board resolution to authorize the concession proposal and identify the individual authorized to act on behalf of the corporation. Non-profits must include documentation validating their non-profit status.

Prior to award of the Contract, the State must be assured that the proposer selected has all of the resources to successfully perform under the Contract. This includes, but is not limited to, personnel in the numbers and with the skills required; equipment of appropriate type and in sufficient quantity; financial resources sufficient to complete performance under the Contract; and experience in similar endeavors. If, during the evaluation process, the State is unable to assure itself of the proposer's ability to perform the Contract, based on the information provided in response to the

requirements, the State has the option of requesting from the proposer any additional information that the State deems necessary to determine the proposer's responsibility. If such additional clarifying information is required, the proposer will be so notified and will be permitted up to five (5) state business days to submit the information requested in writing. Examples of the type of financial responsibility information requested may include annual reports and current audited balance sheets for the proposer's firm.

### **C. Individual Information**

This section must be completed by each individual, partner, and member of the joint venture; CEO, officers, and holders of 25% or more of the company's shares for corporations; concession manager; and the managing member(s) of the organization identified on the LLC-12 for a limited liability company. The aforementioned identified individual(s) must also complete and sign the Authorization to Release Information in Section IV.

Personal History: Proposers must provide their legal name, social security number, address, phone number and answer each of the questions. If the proposer answers yes to any question they must provide additional information.

- If the proposer had a bond or surety canceled or forfeited within the past ten (10) years they must list the Bond Company, date, amount, and explain why it was canceled or forfeited.
- If the proposer has been involved in, pleaded guilty or no contest to, or been convicted of committing any crime other than minor traffic violations they must list violation or crime, the dates it occurred, and the locations.
- If the proposer has ever declared bankruptcy, been declared insolvent or bankrupt, filed for bankruptcy, or been reorganized under Federal or State laws they must list the dates, court jurisdictions, and amounts of liabilities and assets.
- If the proposer is involved in any pending litigation, they must list the violations, dates, and locations.

Experience: For the purpose of this RFP, proposers must have a minimum of five (5) years' experience owning, managing or operating a business of similar type, size and scope as the concession operation set forth and described in this RFP. Proposals with less than the minimum experience will be disqualified.

Provide a narrative describing in detail the duration, extent, and quality of the proposer's education and business experience with special emphasis on the experience and qualifications related to the subject concession. Be specific with respect to the type and dates of experience, the proposer's management role and specific duties, type and size of operation, quality of operation, public agency involvement, contractual relationships, and other factors demonstrating ability to successfully operate the proposed concession. Include additional information as needed.

Certification: Proposers must sign and date the certification at the bottom of the page certifying that all information provided is true and accurate.

## D. Business References

For the purposes of this RFP, proposers must provide references from the following sources. The client references must be in similar and/or size and scope of California Department of Parks and Recreation:

For the purposes of this RFP, proposers should provide references from the following sources within the DPR 398:

- Financial References: Include the bank or savings and loan institution (provide one financial reference that shows the credit worthiness to implement and maintain the proposed statewide Wi-Fi broadband service)
- Client References: Name clients that most accurately reflect the business performance and ability to fulfill contract obligations (provide three (3) customer references)

## II. THE PROPOSAL

It is important that all sections are complete and included with the proposal in order for the State to identify completeness and responsiveness to the requirements of this solicitation. Proposers may submit additional information to describe and enhance their proposal.

### A. Rental Offer

The concessionaire will be required to pay a guaranteed monthly minimum (Minimum Rent Guarantee) as bid or a percentage of monthly gross receipts as bid, whichever is greater, plus deposit a minimum percentage of monthly gross receipts as bid into a Facility Improvement and IT Services Account (FIISA). Proposers shall bid the guaranteed monthly minimum, the percentage of monthly gross receipts, and the percentage of monthly gross receipts deposited into the FIISA. For the purposes of this RFP, the Minimum Monthly Rent Guarantee shall be **at least** one dollar (\$1), the percentage of monthly gross revenues shall be **at least** eight percent (8%) of monthly gross receipts and the percentage of monthly gross receipts deposited into the FIISA shall be **at least** two percent (2%). Any offer below the minimum rent requirements will result in proposal disqualification.

### B. Implementation and Operation Plan

Proposers must indicate agreement to each of the technical requirements in the Table 3-1 below by indicating "Yes" the proposer affirms that it understands the requirement and agrees to comply with the requirement. Answering "No" to any of the mandatory requirements or leaving a requirement blank in the final proposal will result in the proposal being deemed non-responsive and the bid will be disqualified.

Failure to provide a description or providing a description which the evaluation team determines does not meet the requirement will result in the proposal being deemed non-responsive and the bid will be disqualified.

**TABLE 3-1: IMPLEMENTATION AND OPERATION PLAN – TECHNICAL REQUIREMENTS**

**Instructions:**

- 1) Review technical requirements, indicate understanding of the requirements (yes or no), and incorporate the requirements into the proposal’s Implementation and Operation Plan.
- 2) Do not modify or add lines to this worksheet.
- 3) Any modification or variation to this worksheet will deem the Contractor non-responsive.

<b>TECHNICAL REQUIREMENTS</b>				<b>Meets Requirement</b>	
<b>RFP Technical Requirement No.</b>		<b>M</b>	<b>A Contractor’s response of “No” to a Mandatory (M) requirement will be considered a Material Deviation and disqualify the Contractor from possible Contract award.</b>	<b>Yes</b>	<b>No</b>
<b>NEW TECHNOLOGY BENEFITS</b>					
1		<b>M</b>	<p>Proposer must describe in detail the technology benefits for both State Park staff and visitors. The benefits should include the following at a minimum:</p> <ul style="list-style-type: none"> <li>• Does the service attract a different demographic of users (i.e. increased visitation)?</li> <li>• Are there public safety benefits</li> <li>• Real time statistics on visitor subscription and usage</li> <li>• Educational benefits that tie into State Parks “Interpretive Programs”</li> <li>• Benefits of service supporting minimum 25Mps download and 3Mps upload without impacting simultaneous usage on end user devices (i.e. tablets, phones, etc.)</li> </ul> <p><b>Mandatory Scored: Maximum Points Available: 200</b></p>		
<b>BROADBAND WI-FI SERVICE CAPABILITIES</b>					
2		<b>M</b>	<p>Proposer must provide a wireless broadband Wi-Fi service that meets the following minimum capabilities and describe in detail how they will provide this service to the park locations identified in “Attachment A”.</p> <ul style="list-style-type: none"> <li>• Guaranteed speed minimums of 25 Mbps download and 3 Mbps upload for Wi-Fi on</li> </ul>		

		<p>every user device (i.e. tablet, smart phone, etc.), during peak evening hours</p> <ul style="list-style-type: none"> <li>• Service will provide fiber-fed connectivity to any location</li> <li>• Non-line-of-site (NLOS) backhaul to remote sites</li> <li>• Internet connectivity, for low bandwidth applications</li> <li>• Voice-over-IP (VoIP)</li> <li>• Service will bill for daily, weekly, monthly and seasonal plans</li> <li>• Roaming across any State Park/campground using one account</li> <li>• 24/7 help desk</li> <li>• Break fix services</li> <li>• Equipment refresh at its end-of-life</li> </ul> <p><b>Mandatory Scored: Maximum Points Available: 200</b></p>	
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**IMPLEMENTATION PLAN**

3	M	<p>The proposer must provide a summary draft Implementation Plan with their proposal. The Implementation Plan will be refined and further developed with input from State Parks after Contract award. The Implementation Plan shall be subject to additional changes throughout the implementation process as directed by State Parks. The Proposer must provide the following at a minimum:</p> <ul style="list-style-type: none"> <li>• Proposers to provide a sample plan and their implementation methodologies used with other similar size and scope projects</li> <li>• Plan should include at a minimum, tasks, timelines, dependencies, and any other information that proposer would include in a typical implementation plan for State Parks to evaluate</li> <li>• Provide a price schedule for a representative sample of the proposed services (i.e. hourly, daily, and monthly visitor subscription rate)</li> </ul> <p><b>Mandatory Scored: Maximum Points Available: 100</b></p>	
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**RESOURCE MANAGEMENT PLAN**

4	M	<p>Proposer must provide an organization chart to include title, area of expertise and contact information (email and phone number) of all personnel working on the implementation and ongoing maintenance/support. Updated organization charts will be provided to State Parks by the proposer whenever there is a change in key personnel or upon State Park's request throughout the Contract Term.</p> <p>Proposer must provide escalation contact list with names, phone numbers and e-mail addresses.</p> <p><b>Mandatory Scored: Maximum Points Available: 100</b></p>		
<b>MARKETING PLAN &amp; MATERIALS</b>				
5	M	<p>Proposer must describe their proposed marketing and advertising methods; identify media sources and sample advertising materials, brochures, and signage. Favorable consideration will be given to proposals that identify focused efforts to increase visitors from California's multi-ethnic populations. Proposer will be responsible for all marketing materials, campaigns and costs throughout the term of this agreement. State Parks will reserve the right to approve any of the proposers marketing materials and/or campaigns prior to releasing to the general public. All websites must be compliant with the Americans with Disabilities Act and, more specifically, California Government Code Section 11546.7</p> <p>Proposer must provide examples of methods (e.g. social media, signage, local advertising, etc.) and materials used to help bring awareness for this new service available at each respective State Park, selected for implementation</p> <p><b>Mandatory Scored: Maximum Points Available: 100</b></p>		
<b>NETWORK DESIGN PLAN/SAMPLE</b>				
6	M	<p>Proposer must provide a sample network design plan that includes the following:</p> <ul style="list-style-type: none"> <li>• Detailed aerial map/drawing showing network/radio locations,</li> <li>• Radio Frequencies (RF) backhaul links,</li> <li>• Expected Wi-Fi coverage</li> <li>• Wireless site survey (plan to work with existing onsite frequency), plan for</li> </ul>		

			<p>installation of equipment showing mounting locations,</p> <ul style="list-style-type: none"> <li>• Plan for installation at historic and/or view sensitive locations</li> <li>• Onsite power usage</li> <li>• Cabling design at State Parks facilities</li> <li>• Protection of natural, cultural and historic resources</li> </ul> <p>Each State Park location receiving the broadband Wi-Fi service will require a network design plan to be submitted to State Parks through the PEF (Project Evaluation Form) process for final written approval prior to proposer installing service.</p> <p>Note: State Parks will host an optional site survey at Beals Point located in Granite Bay, CA 95746. This site survey will provide proposers the necessary information to include in their Network Design Plan.</p> <p><b>Mandatory Scored: Maximum Points Available: 100</b></p>		
<b>TEST PLAN</b>					
7		<b>M</b>	<p>The proposer must utilize an industry standard testing methodology as specified in the Test Plan, to include system testing. Please describe proposer’s testing methodology in detail.</p> <p>Proposer must provide a sample plan that highlights “System Functional Testing” (SFT) and “User Functional Testing” (UFT) prior to go-live at each Park. The Plan should include steps and processes followed.</p> <p><b>Mandatory Scored: Maximum Points Available: 100</b></p>		
<b>TRAINING PLAN</b>					
8		<b>M</b>	<p>The proposer must develop and provide both initial (prior to service go-live) and ongoing training for State Park staff and park visitors. Describe proposers training approach/plan to Parks staff and park visitors utilizing the service.</p> <p>The proposer must provide a sample plan how onsite State Park staff will be trained to assist if questions are asked by the park visitor about the service (i.e. costs, service capabilities, etc.) The</p>		

			<p>proposer must provide an end user training plan for park users who wish to subscribe to the service.</p> <p><b>Mandatory Scored: Maximum Points Available: 100</b></p>		
<b>SERVICE LEVEL AGREEMENT (SLA)</b>					
9		<b>M</b>	<p>Proposer must provide a monthly report that reflects Contractor's performance with respect to each of the SLAs submitted in their response.</p> <p>The proposer must provide a list of all SLA's for the visitor using the service (i.e. credits for disruption of service, how soon money will be refunded, help desk answer times, onsite break fix, etc.)</p> <p><b>Mandatory Scored: Maximum Points Available: 100</b></p>		
<b>REPORTING/ANALYTICS</b>					
10		<b>M</b>	<p>The Service shall provide a web based/portal reporting functionality that allows State Park staff to obtain detailed information on the following areas:</p> <ul style="list-style-type: none"> <li>• Service Level Agreement (SLA)</li> <li>• Visitor subscription (daily, weekly monthly, annually)</li> <li>• Gross receipts and shared/earned revenue (monthly)</li> </ul> <p><b>Mandatory Scored: Maximum Points Available: 100</b></p>		
<b>FIRM REFERENCES</b>					

11		M	<p>For the purposes of this RFP, proposers must provide references from the sources listed below. The client references must be in similar in size and scope of the California State Park system:</p> <ul style="list-style-type: none"> <li>• Financial References: Include the bank or savings and loan institution (provide one financial reference that shows the credit worthiness to implement and maintain a system)</li> <li>• Client References: Name clients that most accurately reflect the business performance and ability to fulfill contract obligations (provide three (3) customer references)</li> </ul> <p><b>Mandatory Scored: Maximum Points Available: 200</b></p>		
<b>SMALL BUSINESS PREFERENCE</b>					
12		M	<p>See Section 3.2., Proposal Evaluation Criteria</p> <p><b>Mandatory Scored: Maximum Points Available: 200</b></p>		
<b>RENT OFFER</b>					
13		M	<p>See Section 3.2., Proposal Evaluation Criteria</p> <p><b>Mandatory Scored: Maximum Points Available: Up to 200</b></p>		
<b>ENHANCED/VALUE ADDED SERVICES</b>					
14		M	<p>Proposer to describe in detail their enhanced value-added services for wireless broadband Wi-Fi services in a State Park. The services should take into consideration both State Park staff, park partners (e.g. concessionaires, cooperating associations and park operators) and visitor users. Include services addressing public safety, educational, interpretive plans, translation of web and advertising content into multiple languages, ancillary Wi-Fi services to support underrepresented communities adjacent to State Parks, reduced fees for State Parks partner (concessionaires, cooperating associations, etc.) access to concession services, etc.</p>		

		<p>Proposer to provide a detailed list of the value-added services over and above a typical visitor using this service to access the internet. Include services that will benefit State Park staff (e.g. public safety, user/visitor statistics, etc.) and visitors (educational, social media posting, etc.).</p> <p><b>Mandatory Scored: Maximum Points Available: 200</b></p>		
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**C. Supplemental Information**

Additional information must be filled out as described in the DPR 398.

End User Agreement

The end user agreement is similar to a rental agreement; the user agrees to pay for the privilege of using the Wi-Fi service, and promises the Wi-Fi service provider to comply with all restrictions stated in the end user agreement. Public Wi-Fi networks carry risks even if the network itself is secured using industry standard best practices. The end user agreement signed by the visitor (acknowledging and agreeing) protects State Parks and the Wi-Fi service provider from any vulnerabilities, malicious items, restriction of minor use, etc. The End User must be 18 years of age and is responsible for taking all appropriate security measures when using the Wi-Fi service, including measures to prevent damage from viruses, malware, or other similar malicious items, and the End User is solely responsible for the effectiveness of those measures. Parents and guardians are solely responsible for restricting and monitoring their minors' access and/or use of the Internet through the service.

**III. FINANCIAL INFORMATION**

Complete the Concession Development, Business Financial Statement, Financial Reference, and the Credit Worthiness, and Financial Proforma with projections for the duration of the proposed contract term to demonstrate proposer’s ability to successfully initiate and operate the proposed concession in a financially responsible manner.

**A. Concession Development**

Proposers must present evidence satisfactory to the State demonstrating their ability to finance, construct, operate, and maintain a California State Park system wide Wi-Fi broadband service as proposed. The proposer must include the source of funding and detailed information including:

Concession Development Cost Estimate: Project the costs associated with developing the concession. Costs include but are not limited to planning and design, interior improvements, equipment, furnishings, vehicles, inventory, licensing, and permits.

Proposed Means to Finance Concession: Provide amounts for personal finances, loans, or credit that will be used to finance the concession. Identify and document the specific

source of funding that the business will use to undertake the project as proposed. If the development will be funded by outside sources (i.e., parent company, third party, LLC partners, donors, etc.), proposal must include documentation, such as a recent bank statement, balance sheet, income statement, or other supporting documents to demonstrate these funds are available, and a signed statement that these funds are unconditionally committed to this concession project. If funds are to be borrowed to finance any portion of the total investment, proposer must provide loan commitment documentation such as a letter-of-intent from the individual, bank, or other lending entity indicating the minimum amount to be loaned and any applicable percentage rate. The loan commitment may contain the qualification that the loan will be consummated only upon award of an agreement with the State, otherwise the commitment must be irrevocable and unconditional. Repayment of any loans shall be included as a line item in the Financial Proforma.

The Financial Proforma shall include Concession Development estimates and the commitments made within the Concessionaire's Implementation and Operation Plan.

### **B. Business Financial Statement**

Business Financial Statement: The Business Financial Statement is intended to describe the condition of the proposer's current business, including assets, liabilities, and net worth. A complete and accurate Business Financial Statement will reflect total assets equal to total liabilities plus net worth. Round figures to the nearest dollar. If the business is a partnership or joint venture, each general partner or joint venturers must individually submit a Business Financial Statement. Proposers may provide copies of forms filed with the Internal Revenue Service, Franchise Tax Board or statements prepared by a Certified Public Accountant in support of information contained in this statement.

### **C. Financial References and Credit Worthiness**

Financial References: Proposers must submit a minimum of one financial reference. The contact person listed should be familiar with the financial aspects of the business.

Credit Worthiness: Proposers must present evidence of credit worthiness. At a minimum, this shall include a complete credit report from a nationally recognized credit bureau, such as Equifax or Experian, issued within 60 days of the proposal due date and include the FICO score for sole proprietors, each partner within a partnership, and each managing member of an LLC. Corporations shall provide the credit report from a recognized agency such as Dun and Bradstreet (D&B). Any derogatory information listed on said reports should be explained. Below average FICO scores, outstanding debts, delinquent payment history on current concession contracts, and any other negative credit history may disqualify a proposal.

### **D. Financial Proforma**

Proposers must prepare a Financial Proforma to show estimated annual gross profit, expenses, and net income derived from the business' operations for the duration of the contract term. Proposers must explain how the figures were derived and the Financial

Proforma must be verified by a Certified Public Accountant for all proposals with projected gross annual revenue exceeding \$250,000. The Financial Proforma shall include Concession Development estimates and the commitments made within the required proposal plans.

#### **IV. CERTIFICATION AND AUTHORIZATION**

##### **A. Authorization to Release Information**

A signed authorization for each individual, partner, member of joint ventures, officer of corporations, Concession Manager, and holders of 25% or more of the company's shares (as applicable) must be included or the proposal may be disqualified.

##### **B. Labor Law Compliance Certification**

A request may be made to the National Labor Relations Board for information regarding Administrative Hearing decisions against each proposer. Proposer must have no more than one final, unappealable finding of contempt of court by a federal court issued for violation of the National Labor Relations Act within the two-year period immediately preceding the closing date of this RFP or the proposal will be disqualified.

##### **C. Authorization to Release Tax Returns**

A completed authorization to release tax returns for the appropriate business type must be included with the proposal or it may be disqualified.

##### **D. Proposer Certification**

A completed certification must be included with the proposal or it may be disqualified. The proposer must certify under penalty of perjury that all responses and information provided in connection with the proposal are true to the best of his/her knowledge and belief, and the proposer understands and agrees that any misstatement or omission of any material fact may cause forfeiture of all rights to the proposed agreement.

#### **V. PRIVACY NOTICE**

This section provides notice to proposers. No action by proposers is necessary.

### 3.2 PROPOSAL EVALUATION CRITERIA

The criteria below will be used by the Concession Contract Award Board to determine a total score for responsive proposals.

#### Scoring and Point Distribution

EVALUATION ITEM	SCORING (Maximum)
<b>Scoring (Mandatory Scored)</b>	
1. New Technology Benefits	200
2. Broadband Wi-Fi Service Capabilities	200
3. Implementation Plan	100
4. Resource Management Plan	100
5. Marketing Plan & Materials	100
6. Network Design Plan/Sample	100
7. Test Plan	100
8. Training Plan	100
9. Service Level Agreement	100
10. Reporting Analytics	100
11. Firm References	200
12. Small Business Preference	200
13. Rent Offer	200
14. Enhanced/Value-Added Services	200
<b>TOTAL SCORE</b>	<b>Up to 2000</b>

#### Small Business Preference

**200 Points**

Two hundred (200) points will be awarded to those proposers who have a complete and certifiable application on file with the California Department of General Services' Office of Small Business at the time of proposal submission.

#### Minimum Monthly Rent Offer

**200 Points**

For the purpose of assigning points in the Proposal Evaluation, the highest acceptable shared revenue percentage offer will be assigned the maximum points available for that category. Each lower shared revenue percentage offer will be assigned points in relation to the highest shared revenue percentage offer as follows:

Guaranteed Minimum Monthly Rent (Minimum bid is one dollar (\$1))

$$\frac{(\text{Bid Amount})}{(\text{Highest Bid Amount})} \times 50 \text{ points} = \underline{\hspace{2cm}} \text{ points}$$

Percentage of Monthly Gross Revenue as Rent (Minimum bid is eight percent (8%))  

$$\frac{\text{(Bid Amount)}}{\text{(Highest Bid Amount)}} \times 100 \text{ points} = \underline{\hspace{2cm}} \text{ points}$$

Percentage of Monthly Gross Revenue for FIISA (Minimum bid is three percent (2%))  

$$\frac{\text{(Bid Amount)}}{\text{(Highest Bid Amount)}} \times 50 \text{ points} = \underline{\hspace{2cm}} \text{ points}$$

### 3.3 PROPOSAL EVALUATION SHEET

CONCESSIONAIRE'S IMPLEMENTATION AND OPERATION PLAN	POINTS			
	Exceptional	Meets	Deficient	Fail
	100%	50%	0%	Disqualified (DQ)
1. New Technology Benefit	200	100	0	DQ
2. Broadband Wi-Fi Service Capabilities	200	100	0	DQ
3. Implementation Plan	100	50	0	DQ
4. Resource Management Plan	100	50	0	DQ
5. Marketing Plan and Material	100	50	0	DQ
6. Network Design Plan/Sample	100	50	0	DQ
7. Test Plan	100	50	0	DQ
8. Training Plan	100	50	0	DQ
9. Service Level Agreement	100	50	0	DQ
10. Reporting Analytics	100	50	0	DQ
11. Firm References	200	100	0	DQ
12. Small Business Preference	200	100	0	DQ
13. Rent Offer	Up to 200			DQ
14. Enhanced Value-Added Services	200	100	0	DQ
<b>TOTAL</b>	Up to 2000	Up to 1000	Up to 200	DQ

## Scoring Methodology

<b><i>Evaluation Criteria</i></b>	<b><i>Score</i></b>	<b><i>% Max Points Awarded*</i></b>
<ul style="list-style-type: none"> <li>• Provided a response to all of the areas listed in the requirement.</li> <li>• Response demonstrates a thorough understanding by providing such detail that the State is confident that the proposer fully understands and has the ability to comply with the requirement.</li> <li>• Response is highly detailed regarding how proposer will meet the requirement in full.</li> <li>• Response demonstrates major strengths and few, if any, minor weaknesses.</li> </ul>	Exceptional (“E”)	100%
<ul style="list-style-type: none"> <li>• Provided a response to all of the areas listed in the requirement.</li> <li>• Response demonstrates an acceptable understanding of the requirement, even if some minor ambiguities are present.</li> <li>• Response provides sufficient detail to understand how the proposer will meet critical aspects of the requirement.</li> <li>• Response strengths outweigh weaknesses.</li> </ul>	Meets (“M”)	50%
<ul style="list-style-type: none"> <li>• Provided a response for a majority of the areas listed in the requirement.</li> <li>• Response includes ambiguities or inaccuracies that demonstrate a minimal understanding of the requirement; <b>OR</b></li> <li>• Response contains insufficient detail to understand how the proposer will meet the requirement; <b>OR</b></li> <li>• Response weaknesses outweigh strengths.</li> </ul>	Deficient (“D”)	0%
<ul style="list-style-type: none"> <li>• Proposer did not respond to the requirement; <b>OR</b></li> <li>• Response includes exceptions and/or conditions; <b>OR</b></li> <li>• Response conflicts with a Mandatory requirement.</li> </ul>	Fail (“F”)**	Disqualified
<p><b>* All scoring will be assessed at 100%, 50%, 0% or Disqualify based on the evaluation. In-between scores (i.e. 75%, 25%, etc.) are not applicable to this scoring process (with exception of the Rent offer)</b></p> <p><b>** A “Fail” score on any M requirement will result in proposer’s disqualification, if deviation is material.</b></p>		

### 3.4 CONCESSION PROPOSER QUESTIONNAIRE, DPR 398

If interested in submitting a proposal, please download DPR 398 and associated documents from Cal e-Procure at [www.caleprocure.ca.gov](http://www.caleprocure.ca.gov). A Cal e-Procure account must be created and logged into prior to downloading the documents and to view any changes or updates to the RFP.

### 3.5 GLOSSARY OF TERMS

Definitions, Acronyms, and Abbreviations

Term/Acronym	Definition
Bandwidth	Data transfer rate: the amount of data that can be carried from one point to another in a given time period (usually a second).
Upload	Uploading means data is being sent from your computer to the Internet
Download	Downloading means your computer is receiving data from the Internet
VOIP	VoIP (voice over IP) is the transmission of voice and multimedia content over Internet Protocol (IP) networks.
Mbps	(Megabits Per Second) Millions of bits that are transferred in one second.

# SAMPLE CONCESSION CONTRACT