

ISSUE DATE: August 3, 2022

STATE OF ALABAMA

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

STATE PARKS DIVISION

REQUEST FOR PROPOSALS

For

ENTERTAINMENT SERVICES

1. Purpose and Scope of Services. The Alabama Department of Conservation and Natural Resources, State Parks Division (DCNR-SPD) is soliciting proposals to provide quality entertainment services to park visitors as Santa Claus at Rickwood Caverns State Park during scheduled tourism events and similar programs during November and December of each contract year.

Proposer must be able to provide multiple Santa's to handle multiple events and staff must have excellent communication skills. Proposer will be required to provide DCNR-SPD staff an invoice for the dates and hours (or fractions thereof) worked.

2. Qualifications and Experience. Proposer must provide a description of the entertainment services offered and the number of years of experience in providing each service. The Proposer must also provide the amount of time required for notice prior of a scheduled event and disclose any and all fees, costs, and expenses to be charged for the services provided to DCNR-SPD.

3. Instructions for Submitting Proposals. Proposals will be reviewed by DCNR-SPD. Applicants will be evaluated on their ability to satisfy the above stated purpose, scope of services, qualifications, and cost. DCNR-SPD reserves the right to reject any and all proposals, to waive any informality in any proposal, and further negotiate with any potential vendor. **The best interests of DCNR-SPD shall be considered as the number one determining factor in selecting or not selecting a Proposer.** No selection is final until full execution of a written agreement detailing an agreed upon scope of work.

Proposals must be submitted in a sealed package with the due date and RFP title clearly marked on the outside. It is the responsibility of Proposers to ensure timely delivery to the specific location cited below.

Proposals along with the disclosure statement and Beason-Hammon must be received in the office shown below by 2 p.m. CST on August 17, 2022.

Gregory M. Lein
Alabama Department of Conservation & Natural Resources
State Parks Division

64 N. Union St. Montgomery, AL 36130
(334) 242-3334
Greg.lein@dcnr.alabama.gov

Written questions or comments regarding this RFP must be submitted via electronic mail message to Greg Lein at greg.lein@dcnr.alabama.gov with copy to Toni Hart at toni.hart@dcnr.alabama.gov and Bridgette Grace at bridgette.grace@dcnr.alabama.gov. Proposer understands and agrees that he/she has an affirmative duty to inquire and seek clarification regarding anything in this RFP that appears to be unclear. DCNR-SPD intends to make responses to the submitted questions available to all Proposers on its website at www.outdooralabama.gov.

4. Revisions to RFP. DCNR-SPD reserves the right to alter any deadlines or revise any part of this RFP by issuing an addendum to the RFP at any time. Addenda, if any, will be posted at www.outdooralabama.gov. It is the responsibility of the Proposer to check the website for addenda to the RFP, if any.

5. Awarding of Contract. If the DCNR-SPD deems, at its sole discretion, that a satisfactory agreement cannot be reached in accordance with an initial selection; the DCNR-SPD reserve the right to proceed with efforts to make another selection based upon proposals submitted pursuant to this RFP. Any contract related to this proposed project is subject to the availability of funds and/or the needs of the DCNR-SPD and therefore the DCNR-SPD, at its discretion, may or may not issue a final contract as a result of this RFP. Selected Proposer must be registered with the Secretary of State to conduct business in the State of Alabama. For more information, visit the Secretary of State website at www.sos.alabama.gov and click Corporations. Selected Proposer must be registered and subscribed in the STAARs Vendor Self Service Portal (VSS) at <https://procurement.staars.alabama.gov> to be awarded a contract. Selected Proposer must also enroll in E-Verify and provide the E-Verify Memorandum of Understanding upon completion of enrollment to be awarded a contract.

6. Term of Contract. The term of the contract shall be for a period of two years. The term of the contract may be renewed or extended for up to two additional years by written agreement of the parties to provide the same scope of services for subsequent years under the otherwise same terms and conditions. Any contract or extension executed pursuant to the RFP is subject to review by DCNR-SPD's legal counsel and may be further reviewed by the Alabama Legislative Contract Review Committee and the Office of the Governor.

7. Disclosure Statement. Act 2001-955 requires a disclosure statement to be completed and filed with all proposals, bids, contracts, or grant proposals to the State of Alabama in excess of \$5,000. A Disclosure Statement is available for completion on the Attorney General's web site at www.ago.alabama.gov under *Publications and Forms*. Proposer must include a completed copy of the Disclosure Statement in their proposals.

8. Disclaimer. Issuance of this RFP does not constitute a commitment by DCNR-SPD to select any proposal submitted in response to the RFP, or to award a contract to any Proposer who responds to this RFP. DCNR-SPD reserves the right, and has absolute and sole discretion, to cancel a solicitation at any time prior to approval of the award by DCNR-SPD. This process is only for the benefit of DCNR-SPD and is to provide DCNR-SPD with competitive information to assist it in the process of selecting a

vendor. All decisions on compliance, evaluation, terms, and conditions related to the RFP will be made solely at the discretion of DCNR-SPD.

9. Open Trade. By submitting an application, the Proposer represents that he/she and the business entity he/she represents is not currently engaged in the boycott of a person or an entity based in or doing business with a jurisdiction with whom the State of Alabama can enjoy open trade, as defined in Act 2016-312.

10. Public Information. All responses received will be subject to the Alabama Open Records Act, Ala. Code § 36-12-40, (1975), as amended, and may be subject to public disclosure upon request. The Open Records Act is remedial and should therefore be liberally construed in favor of the public. The Alabama Trade Secrets Act is Ala. Code §§8-27-1 to 8-27-6, (1975), as amended. Proposers are cautioned to be familiar with these statutes. The burden is on the one asserting the trade secret to show that the information sought to be protected meets the definition of a Trade Secret as defined in the Act.

Any RFP response submitted that contains confidential, trade secrets, or proprietary commercial information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as such. Identification of the entire bid proposal as confidential is not acceptable unless the Proposer enumerates the specific grounds or applicable laws which support treatment of the entire material as protected from disclosure according to the foregoing statutes or other applicable Alabama law.

The owner of the confidential information shall indemnify and hold the State of Alabama and the Department of Conservation and Natural Resources, and any and all of its officers, agents, and employees harmless from all costs or expenses including, but not limited to, attorney fees and expenses related to litigation concerning disclosure of said information and documents.

11. Changes and/or Withdrawal of Proposal. Any proposal may be withdrawn until the date and time set above for the submission of the proposals. To accomplish this, a written request signed by the authorized representative of the Proposer must be emailed to the addresses referenced herein. No additions or changes to an original proposal will be allowed unless specifically requested by Proposer. Any proposals not so withdrawn shall constitute an irrevocable offer, to provide to DCNR-SPD the services set forth in this RFP, until one or more of the proposals have been awarded.

12. Errors and Omissions in Proposal. DCNR-SPD reserves the right to make corrections or amendments due to errors identified in proposals to DCNR-SPD or by the Proposer. DCNR-SPD reserves the right to request clarification of information submitted and to request additional information of one or more Proposers.

13. Costs of Preparation. Costs of preparation of a response to this request for proposals are solely those of the Proposer. DCNR-SPD assumes no responsibility for any such costs incurred by the Proposer. The Proposer also agrees that DCNR-SPD bears no responsibility for any costs associated with any administrative or judicial proceedings resulting from the solicitation process.

14. Maintaining Adequate Records. The Proposer awarded this contract shall maintain adequate records to justify all charges, expenses, and costs incurred in estimating and performing the work for at

least three (3) years after completion of the contract resulting from this RFP. DCNR-SPD shall have access to all records, documents, and information collected and/or maintained by others in the course of the administration of the agreement. This information shall be made accessible at the awardees place of business to DCNR-SPD, including the Comptroller's Office and/or its designees, for purposes of inspection, reproduction, and audit without restriction.