



Addendum #01

April 22, 2024

RFP 24-R0025

Water Safety and Beach Concessions

The purpose of this Addendum #01 to RFP 24-R0025 for Water Safety and Beach Concessions, dated March 27, 2024, is to answer the following questions:

1. Wherever it says “City’s sole discretion,” is that City staff, City Council, or recommendation of City staff to City Council?

Any reference to “City’s sole discretion” will mean the City manager or designee.

2. It is difficult to meet requested number of lifeguards for the third Monday in May through May 31 and the third Monday in August through Labor Day. Will we be fined if we cannot get the required number of lifeguards?

The number of lifeguards required for the third Monday in May through May 31 and the third Monday in August through Labor Day are the same number required as per the existing Franchise. It is expected that each Franchisee will maintain these staffing levels. Page 27, lines 9 – 10 are hereby amended to read, “If Franchisee fails to meet the applicable staffing requirements, Franchisee shall be fined one hundred fifty dollars (\$150.00) per day, for each lifeguard Franchisee fails to deploy.”

3. It is difficult to implement Emergency Response Teams (ERT) due to insurance issues. Does this stipulation even need to be in the solicitation?

Any exceptions regarding ERT service should be noted on page 39 of the solicitation document. Any request for an exception MUST be accompanied by a letter from their insurance broker to document the issues related to insuring ERT service.

4. Submitting daily rosters is a lot of work. Can we use the “When I Work” app, or some other method of reporting daily rosters?

No, we will not accept the “When I Work” app, or any other method of reporting daily rosters. All daily rosters must be e-mailed to beachsafety@cityofmyrtlebeach.com no later than 10:30AM (local time) each day.

5. Can we get a single point of contract for the City?

Yes, a single point of contact for the City will be made available to all awarded Franchisees.

6. It is difficult to obtain insurance for jet skis used in rescue operations. Can this requirement be waived?

Yes, the requirement to have a jet ski, or similar device is waived. Page 28, line 26 is hereby removed from the solicitation document.

7. What is the standard for lifeguard certification?

All lifeguards must be certified to perform duties on the beach. Franchisees will be responsible to ensure that all lifeguards are certified appropriately for the work.

8. Are “No Lifeguard on Duty” flags still required?

Yes, “No Lifeguard on Duty” flags are still required if a lifeguard is not on duty. Use of any “No Lifeguard on Duty” flag does not exempt the Franchisee from the \$150.00 fine.

The following is hereby added to page 27 at the conclusion of line 7: However, if a stationary lifeguard is absent, Franchisee shall fly a flag or banner from the stand indicating No Guard on Duty. Similar No Guard On Duty flags or banners shall also be set in front of the umbrella line on both sides of the stand at an approximate distance of 20 – 25 yards or at such distance where it can be seen from the outside lateral boundary of the stand’s area. If a mobile lifeguard is absent, Franchisee shall fly a flag or banner indicating No Guard on Duty in front of the umbrella line at each public access point in the mobile lifeguard area. All No Guard on Duty flags shall be white in color with red lettering.

9. Can cabanas be listed as rental equipment in the days before Memorial Day and after Labor Day?

Yes, cabanas meeting a description within the RFP may be rented before Memorial Day and after Labor Day. Page 31, lines 30 – 37 are hereby amended to read:

In return for the provision of water safety services and other considerations, the Franchisee will be authorized to rent the following beach equipment, separate and apart from its provision of water safety services:

- Chairs and footrests

- Umbrellas

Before Memorial Day and after Labor Day, Franchisee may also rent “clam shell” style cabanas that are no taller than seven (7) feet at the apex. All rental equipment must be broken down and secured by the dune line no later than 6:30PM each day. Franchisee may not rent any “hard” equipment, including but not limited to: surfboards, skim boards, boogie boards, sailboats, banana boats, jet skis, parasailing.

Page 32, lines 26 – 27, are hereby amended to read, “Franchisee agrees to remove fifty percent (50%) of any unrented chairs, umbrellas, or cabanas after 2:30PM each day.”

10. The solicitation calls for lime green shirts and black shorts for the beach attendants. Is there any flexibility in these requirements?

Page 32, lines 1 – 2 are hereby amended to read, “Beach attendants’ uniforms shall consist of shirts and shorts that are of a different color scheme than lifeguards and must be visibly distinguishable from lifeguard uniforms. Franchisee is prohibited from printing the City logo on any part of any uniform.”

11. Do public walkovers include those attached to private homes?

No, public walkovers do not include those attached to private homes. Public walkovers include only those owned by the City and used as beach access points for the general public.

12. It is difficult to keep up with trash on the beach and enforce all beach ordinances. If we cannot pick up all the trash or enforce all the ordinances, will we be terminated for this?

Page 33, lines 7 – 21 are hereby amended to read:

Beach Cleanliness and Ordinance Compliance

Franchisee will be responsible for the removal of hazardous trash and debris within its designated territory from the water line to the primary dune line. This responsibility will be discharged by beach attendants; however, it is not a violation for lifeguards to remove trash/debris in front of the umbrella line which the lifeguard encounters while patrolling his/her assigned area. At the beginning of each season, the City will provide trashcans as needed for each stand. The City shall be responsible for the trashcan pick-up on the beach.

Franchisee will have a secondary responsibility for attempting to achieve voluntary compliance with City Ordinances within Chapter 5 (Beach and Boating Regulations) with a particular emphasis on Ordinances involving personal safety and those relating to structures on the beach and lifeguard line of sight. Behind the umbrella line, this responsibility will be discharged by beach attendants. In front of the umbrella line, this responsibility will be shared by beach attendants and lifeguards. Franchisee will educate violators in an effort to gain voluntary compliance. In the event voluntary compliance cannot be gained, a Franchisee supervisor shall notify the Police Department.

13. Can the cost of a CPA be deducted from the franchise fee? Are quarterly/monthly sales tax and business license reports sufficient for reporting? Is a business license really necessary? Are bonds necessary?

No, the cost of a CPA cannot be deducted from the franchise fee. Page 33, lines 24 – 25 are hereby amended to read, “Beginning in 2025, Franchisee shall pay an annual franchise fee of \$20,000 no later than December 31 of each year the Franchise is in existence.”

Quarterly sales tax and business license reports are sufficient. The requirement for gross receipts prepared by a certified public accountant will be deleted. Page 33, lines 31 – 33 are hereby amended to read, “Franchisee shall provide the City quarterly sales tax reports. The City may require additional financial information in its discretion.”

Yes, a business license will be required to comply with City ordinance and state law.

Bonds will not be required for this solicitation. Therefore, Section 10.01 and 10.02 are hereby removed from the solicitation.

14. Can the base term of the franchise be seven years instead of five years?

Yes, the base term of the franchise can be seven years. Page 34, lines 11 – 14 are hereby amended to read, “The term of the Franchise shall be for a period of seven (7) years. However, the City reserves the right to terminate the franchise earlier than seven (7) based on documented evidence of repeated poor performance under Section 19.09 for the General Terms and Conditions of this solicitation.”

15. Is it possible to extend the solicitation due date by two weeks?

Yes, proposals are now due no later than Friday, May 17, 2024 at 2:00PM (local time.) No e-mail submissions will be accepted. The City is not responsible for late or misdirected mail. The adjusted schedule is as follows:

RFP Release	Wednesday, March 27, 2024
Informational Meeting	Monday, April 8, 2024
Questions Due at 10:00AM (local time) to: asowers@cityofmyrtlebeach.com	Thursday, April 18, 2024
Questions Answered	Thursday, April 25, 2024 by COB
Responses Due by 2:00PM (local time)	Friday, May 17, 2024
Evaluation Period	Fri., May 17, 2024 – Fri., June 14, 2024
Anticipated Franchise Award	July, 2024

The City reserves the right to adjust dates as necessary.

16. Who will be doing the evaluation? Will it be six City employees or six members of City Council?

Each submission will be evaluated by five (5) City staff members. The sixth hard copy to be submitted will be retained with the permanent solicitation file.

17. The proposal start date states April 15. Please confirm that this is 2025.

Any work to be performed under this new franchise agreement will not begin until April 15, 2025.

18. Can you please provide a current list of equipment used for vehicles? Are current vehicles available to be purchased from the City? Is there a current secure location for storage of vehicles that is available for use by the franchisee?

All vehicles currently used in water safety operations are either police vehicles, fire department vehicles, or they belong to the current franchisee. None of the vehicles are available for purchase. Franchisees are responsible for the storage of their own vehicles.

19. What locations are available to the awarded franchisee for staff members currently, if any, at the beach area?

Currently, there are no specific locations for franchisee's staff members at the beach area other than the lifeguard towers. There are no office spaces or meeting rooms in use for franchisee employees on the beach itself.

20. What is the budget for this project? How much was spent on water safety and beach concessions last year?

There is no budget for this project, as this is a franchise agreement.

21. Who was the most recent vendor for water safety and beach concessions?

The current vendors are Lack's Beach Service and John's Beach Service.

22. How many miles of beach is the staffing needed?

Approximately ten (10) miles of beach will need to be staffed.

23. Can you also provide us images of the designated areas to be staffed? Right now, there is only one (1) image of the coastline map provided. Can the address be provided for the areas that need to be staffed?

Specific images of the beach are not available. Likewise, specific addresses of locations to be staffed are not available.

24. Is there a pricing format to be followed for the bid submission?

No pricing format is available. This project is a proposal, and not a bid. Submissions will be evaluated on criteria other than price, including staffing levels, equipment, experience, and concessions. Please see Proposal Submission Requirements beginning on page 34 of the solicitation documents.

Sealed proposals are due no later than Friday, May 17, 2024 at 2:00PM (local time.) No electronic submissions will be accepted. The City is not responsible for late or misdirected mail.

Thank you,
City of Myrtle Beach
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