



Town of Taos
Request for Proposals (RFP)
RFP SB01-PO1819
Amusement Device/Arcade Services for the Taos Youth & Family Center
April 8, 2019

The Town of Taos is requesting competitive sealed proposals from interested providers for Amusement Device/Arcade services at the Taos Youth and Family Center.

Scope of Work

Allowable games:

The service provider will provide Amusement Device/Arcade Services at the Taos Youth and Family Center. All games shall be family friendly. No games will be allowed that have excessive violence (blood spattering, heads being cut off, etc.), shooting at people or domestic pets, explicit sex, nakedness or games with cursing or foul language. The Town of Taos reserves the right to approve any and all games at its discretion and to require immediate removal of any and all games deemed to be inappropriate.

Equipment Maintenance:

The service provider shall be accessible and available to repair any problems with the games in a timely fashion (48 hours minimum) from the time notified of the problem(s).

Game Rotation:

The Service provider shall remove money from the games at a minimum of once weekly. Rotation of a game out of the Youth and Family Center shall take place when use diminishes significantly as shown from the income collected from that particular game.

Insurance Requirement:

The service provider must maintain insurance coverage for its own equipment and liability insurance coverage at least sufficient to cover the limits of liability set forth in NMSA Section 41-4-19 of the as per the New Mexico Tort Claims Act. Such insurance shall name the Town of Taos as an additional insured. Proof of insurance is required at time of contract signing.

Commission and Accounting:

The commission to be paid to the Town shall be a percentage of the gross revenues collected from all Amusement Device/Arcade Services offered by the service provider. This is payable to the Town of Taos and receipted by the Taos Youth and Family Center Director or his designee. Payment for each calendar month is due by check on the 5th day of each month and is subject to a 10% penalty if paid late. The Town of Taos reserves the right to inspect the amusement devices; monitor the collection of money from them; and inspect the provider's books and records showing receipt of money from the amusement devices.

Requirements of a contract

The successful respondent will be required to enter into a contract with the Town of Taos for the services to be provided.

Proposals

The proposal response must include a full description of similar services that the Respondent has performed.

Names and contact information for at least two (2) references is required.

The Respondent must be a qualified individual, or a private, domestic, for-profit or non-profit entity in any legally recognized form of organization including, but not limited to, a corporation, a limited partnership, a limited liability company, or a 501c (3), and must be authorized to operate in the State of NM and in good standing with its enabling governmental authority.

If the Respondent has had any contract terminated for default during the past three (3) years, this fact shall be disclosed in the RFP response along with the Respondent's position on the matter(s). If the Respondent has experienced no such terminations for default in the past three years, then it should so indicate.

Each proposal must be accompanied by a letter of transmittal. The letter of transmittal MUST:

- a. identify the submitter;
- b. if an organization, identify the name and title of the person authorized to contractually obligate the organization
- c. identify the name, title and telephone number of the person authorized to negotiate the contract on behalf of the organization
- d. identify the names, titles and telephone numbers of persons to be contacted for clarification
- e. be signed by the person authorized to contractually obligate the organization
- f. acknowledge receipt of all amendments to this RFP.
- g. Two (2) external client references
- h. required forms – signed Campaign Disclosure form, see attached.

Respondents must submit a statement of relevant experience AND resources. The documentation must thoroughly describe how the respondent has supplied expertise and equipment for similar contracts and work related to this RFP. Respondents should include in their proposals documentation describing the extent of their experience and expertise and business knowledge.

A site visit is required in order to respond to this proposal. Please schedule with Tony Struck or Melissa Vigil by calling (575) 758-4160.

A public log will be kept of the names of all Respondents that submit proposals. Pursuant to Section 13-1-116 NMSA 1978, the contents of any proposal shall not be disclosed to competing Respondents prior to contract award.

The Procurement Officer will review proposals for completeness and compliance with requirements. If any proposal submitted is deemed non-responsive, the Procurement Officer will

notify the submitter in writing of such determination and the method of protesting that determination.

The Procurement Officer reserves the right to amend and/or cancel this request for proposals prior to the time and date of the proposal submission deadline, and the right to reject all offers submitted.

The Procurement Officer reserves the right to waive any minor or technical irregularities in any proposal that do not alter the price, quality or quantity of services, systems or items of tangible personal property being offered and the right to reject any proposal mistakenly awarded as a result of clerical, arithmetical, or other error on the part of the Town of Taos.

The Procurement Officer reserves the right to correct any bid/proposal awarded erroneously as a result of a clerical error on the part of the Town of Taos.

The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kick-backs.

Proposals must be no longer than 10 typed 8.5" x 11" pages.

REQUIRED RESPONSES:

Please respond to the following questions in your response:

- What vending opportunities are you seeking?
- How many games will you provide?
- What are the top selling vending items you would include?
- How do you plan to support and protect your investment in this program?
- Why is it in the best interest of the Town of Taos to choose you over anyone else that may be interested?
- Describe the procedures to be utilized during the term of the agreement to monitor effectiveness and results.
- Describe the Town's services and staff resources needed to supplement contractor's activities to achieve identified objective(s) and what access to Town facilities you envision being included in the agreement.
- Identify the principals having primary responsibility for implementing the services.
- Address possible conflicts of interest if any.

Proposal Evaluation

Proposals will be evaluated based on the following:

- A. (40 POINTS) Listing of proposed equipment for installation in the Taos Youth & Family Center arcade, including:
- Titles of games, or descriptions of equipment to be installed (bill changer, etc.);
 - General description of game type (action, adventure/role playing, arcade, strategy, simulation, driving, puzzles/trivia);
 - Games content rating;
 - Game console type (tabletop, stand-up, ADA accessible);
 - Age of equipment;
 - Date of most refurbished equipment;
 - Tender required to play game (cash, card)'
 - Cost of game play (\$/# of turns or number of plays per token)
 - Recommended age(s) for players of each game
- B. (20 POINTS) Maintenance Schedules:
- Regular/preventative maintenance intervals;
 - Elapsed time between report of issue with game and repair or replacement of equipment.
- C. (10 POINTS) Delivery and installation timeline, from date of contract award;
- D. (20 POINTS) Proposed fee to be paid to the Taos Youth & Family Center during contract (rent, commission or other structure). If game play counters (non-resettable) are not included in the proposed games, please articulate the means by which play volume will be tracked; and
- E. (10 POINTS) Reference information
- Proposals must include two (2) external client references from commercial/public clients who received similar services. The minimum information that must be provided about each reference is:
 - a. Name of individual or company services were provided for
 - b. Address of individual or company
 - c. Name of contact person
 - d. Telephone number of contact person
 - e. Type of services provided and dates services were provided
- F. (5 or 10 POINTS) Resident Business or Resident Veteran Business Preference (if applicable)
NEW MEXICO RESIDENT OR VETERANS BUSINESS PREFERENCE
 To ensure adequate consideration and application of NMSA 1978, § 13-1-21 (as amended), Respondents must include a copy of their preference certificate with their proposal. Certificates for preferences must be obtained through the New Mexico Department of Taxation & Revenue <http://www.tax.newmexico.gov/Businesses/in-state-veteran-preference-certification.aspx>

A. New Mexico Business Preference

B. New Mexico Resident Veterans Business Preference

Total possible points available add up to 110 Points

Scope of Procurement

The Town of Taos intends to enter into an initial one-year contract with the successful Respondent for the services contemplated by this Request for Proposals SB01-PO1819. Any such contract is subject to the **availability of funds and/or other terms and conditions**. In no case will the contract, including all renewals, exceed a total of eight (8) years in duration. Subsequent contracts for the same services will be subject to a new RFP process and Management approval as called for by law and Town ordinances and policies.

Campaign Contribution Form attached, please complete, sign and submit with your proposal.

Contact Information & Deadlines

Any questions or clarifications regarding this RFP may be directed to:

Sharon Voigt, Chief Procurement Officer
(575) 751-2025

EQUAL EMPLOYMENT OPPORTUNITIES

The Contractor and his subcontractors shall not discriminate against any employee or applicant for employment, to be employed in the performance of such contract, with respect to his hire, tenure, terms, conditions, or privileges of employment, because of his race, sex, age, sexual orientation, gender identity, disability, color, religion, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the contract. (NMSA section 28-1-7). The Contractor and his subcontractors shall comply with the Federal Civil Rights Act of 1964 and Title 7 of that Act revised in 1979.

Deadline to Respond:

The deadline for submitting a proposal is **3:00 PM, Mountain Time, Tuesday, April 30, 2019**. Proposals must be submitted to Sharon Voigt, Procurement Officer, in a sealed envelope and delivered to Room 202 Town Hall Building, 400 Camino de la Placita, Taos, NM 87571. This RFP is also available online at <https://www.taosgov.com/200/Purchasing>.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract.

The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or Page 2 of 3 DFA Disclosure form/April, 2006 unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

“Pendency of the procurement process” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Person” means any corporation, partnership, individual, joint venture, association or any other private legal entity.

“Prospective contractor” means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS

MAYOR:
DANIEL R. BARRONE

COUNCIL MEMBERS:
NATHANIEL EVANS **GEORGE "FRITZ" HAHN**
DARIEN D. FERNANDEZ **PASCUALITO M. MAESTAS**

Contribution made by: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) made: _____

Amount(s) of Contributions(s) _____

Nature of Contributions (s) _____

Purpose of Contributions(s) _____

Signature

Date

Title (position)

OR

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable official by me, a family member or representative.

Signature

Date

Title (position)