



CITY OF ARLINGTON

238 N Olympic Ave
Arlington, WA 98223
360-403-3421

RFP #2022-01
Request for Proposals (RFP)
for
Ice Rink Rental and Management

Proposals must be received no later than:

TUESDAY, FEBRUARY 1, 2022 @ 5:00 PM

Deliver to:

Sarah Lopez, Community Engagement Director
slopez@arlingtonwa.gov

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SECTION 1 – INVITATION

The City of Arlington (“City”) is seeking proposals from vendors for the rental and management of a temporary ice rink for the 2022 and 2023 winter festivities.

Proposals will be selected based on cost, availability, and options that will work best for the City’s proposed use.

This project is funded by ARPA grant funds.

Proposals shall constitute offers to City of Arlington which shall be binding for ninety (90) days from proposal due date. City of Arlington reserves the right to reject all or any portion of any proposal, and/or to reject all proposals. City of Arlington further reserves the right, but without obligation, to waive informalities and irregularities.

Proposals shall be delivered electronically with RFP 2022-01 Ice Rink Rental and Management clearly identified in the subject line, via email to: Sarah Lopez at slopez@arlingtonwa.gov and copy to dstrotz@arlingtonwa.gov **no later than Tuesday, February 1, 5:00 pm PST.** It is the sole responsibility of the proposing agency to ensure proposals are received prior to the closing time as late or incomplete proposals will not be accepted for consideration.

Results of this solicitation will be posted on the City of Arlington website <http://arlingtonwa.gov/Bids.aspx> within 24 hours of award. A public opening will not be held. Questions relating to this quote should be **in writing** and directed to Sarah Lopez, Community Engagement Director, at the above email address no later than 5:00 pm, January 26, 2022.

SECTION 2 - TIMELINE

Date	Event
January 10, 2022	Solicitation Issued
January 26, 5:00 PM, PST	Deadline for Final Written Questions
February 1, 5:00 PM PST	Proposals Due
February 10, 2022	Notice of Award (tentative)

SECTION 3 – SPECIFICATIONS

The City of Arlington is seeking proposals for rental and management of a temporary 30’ x 60’ covered, open air ice rink. Open to options for real or synthetic ice. Company would be required to provide all necessary equipment, installation and removal, and management including sales, skate rental and staffing. City encourages Company to acquire sponsorship and would require documentation of sponsorship levels. City would provide necessary power and water service. Installation on asphalt parking lot in a downtown location. City would prefer a two year contract

with desired tentative operational dates of November 25, 2022 through January 29, 2023 and November 24, 2023 through January 28, 2024.

SECTION 4 – TERMS AND CONDITIONS

1. Any errors discovered after RFP submission deadline must remain and cannot be adjusted. It is the sole responsibility of the proposers to assure that they have received the most current RFP.
2. It is the responsibility of each proposer to call to the attention of the City any apparent discrepancy in the RFP or any question of interpretation. Failure to do so constitutes acceptance as written.
3. The proposal, as presented, will remain valid for a period of ninety (90) days from proposal due date.
4. The City reserves the right to request clarification of information submitted, and to request additional information from any proposer.
5. The City reserves the right to revise or amend the RFP prior to the proposal due date by written addenda.
6. All documents submitted to the City of Arlington become the property of the City and are public records and subject to public disclosure upon request.
7. The successful proposer must comply with all Federal, State, and City of Arlington statutes and codes as may be applicable to the scope of work detailed herein, including all labor laws.
8. The City will not be responsible for any costs incurred by the firm in preparing, submitting, or presenting its response to the RFP.
9. Proposals will be evaluated based on size, pricing, and material.
10. The City is committed to providing equal opportunities to State of Washington certified Minority, Disadvantaged and Women's Business Enterprises.
11. Resulting contracts, (if any) will be construed under the laws of the State of Washington. All claims, actions, proceedings, and lawsuits brought in connection with, arising out of, related to, or seeking enforcement of resulting contracts will be brought in Snohomish County, Washington.
12. The Washington State Interlocal Cooperative Act (RCW 39.34) provides that other governmental agencies may purchase goods or services on this solicitation or contract in accordance with the terms and prices indicated therein if all parties agree. The City of Arlington does not accept any responsibility or involvement in the purchase orders or contracts issued by other public agencies.
13. All products must be warranted against defects or faulty workmanship and materials by the Supplier for one (1) year following inspection and acceptance of the products by the City. Warranty must include all costs incurred, including shipping, for repair or replacement except that which is damaged by misuse or abuse. This one-(1) year warranty will in no way affect normal extended or manufacturer's warranty exceeding this one (1) year period. Supplier warrants that all goods and services furnished under this Contract are new, conform strictly to the specifications herein, are merchantable, good workmanship, free from defect, comply with all applicable safety and health standards established for such products, all goods are properly packaged, and all appropriate instructions or warnings are supplied. If a defect is found, a component failure occurs,

or workmanship is found to cause failure, the Vendor must replace the product at their own expense, including shipping charges. Any replacement product will be warranted for one (1) year from the date it is delivered. All implied and expressed warranty provisions of the Uniform Commercial Code are incorporated into this Contract.

SECTION 5 – 2 CFR APPENDIX II TO PART 200

Debarment and Suspension: Supplier must certify that it is not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from covered transactions by any Federal, State or local department or agency.

Clean Air Act And Federal Water Pollution Control Act: Supplier must agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401–7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251–1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

Byrd Anti-Lobbying Amendment: Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Suppliers that apply or bid for an award of \$100,000 or more must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

Procurement of Recovered Materials: Supplier must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Domestic Preference: The City will, as appropriate and to the extent consistent with the law, provide a preference for the purchase, acquisition, or use of goods, products or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products).

- (a) “Produced in the United States” means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

- (b) “Manufactured Products” means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

Buy American: This procurement is subject to Buy American Act as outlined in 41 USC § 8301-8305. The Supplier and all subcontractors, contractors, vendors, distributors and manufacturers must comply with Buy American provisions, as contained within federal law. The Supplier shall be responsible for certifying to the City with the Bid Documents that it understands the Buy American requirements. In addition, the Supplier shall provide the City with appropriate certifications during the Contract to comply with the Buy American requirements.

Small, Minority, Women-Owned Business Enterprises and Labor Surplus Area Firms: The City takes all necessary affirmative steps to assure that the small, minority, women-owned business enterprises firms are used whenever possible (2 CFR § 200.321):

1. Place qualified small and minority businesses and women’s business enterprises on solicitation lists.
2. Assure that small, minority and women’s business enterprises are solicited whenever they are potential sources. Use the service and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce. Use the service and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

SECTION 6 – CIVIL RIGHTS PROVISION - TITLE VI

City of Arlington, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d--4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

SECTION 7 – INSTRUCTIONS

The deadline for submission of proposal is: **5:00 pm Pacific Standard Time, Tuesday, February 1, 2022**. Email to slopez@arlingtonwa.gov with copy to dstrotz@arlingtonwa.gov. No faxed proposals will be accepted.

Proposals **must** include the attached forms:

- Certification Regarding Ineligible Contractors
- Certification of Restrictions on Lobbying
- Non-Collusion Affidavit

Proposals must be clearly marked in the subject line:

RFP 2021-01 Ice Rink Rental and Management

For questions about this RFP contact Sarah Lopez, City of Arlington Community Engagement Director slopez@arlingtonwa.gov. Questions via telephone will not be accepted. All questions to this proposal must be received by Wednesday, January 26, at 5:00 pm Pacific Standard Time. Questions received after this date may not be answered.

SECTION 8 - POSTED

- The Daily Herald, January 12 & 13, 2022
- Online at City of Arlington website: <http://arlingtonwa.gov/Bids.aspx>
- Emailed: January 10, 2022 - MRSC Vendor Roster
 - Main Category: Equipment, General Goods, General Services
 - Sub-Category: Event Equipment, Outdoor Recreation Supplies, Event Services, Outdoor Entertainment

SECTION 9 – REQUIRED FORMS

Continue to pages 6 through 8

CERTIFICATION REGARDING INELIGIBLE CONTRACTORS

_____, certifies, by submission of this bid, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Where the bidder is unable to certify to any of the statements in this certification, such bidder shall attach an explanation to this bid.

The bidder certifies or affirms the truthfulness and accuracy of the contents of the statement submitted on or with this certification and understands that the provisions of 31 USC Section 3801, et seq., are applicable thereto.

Authorized Official

Typewritten Name

Title of Authorized Official

Date

CERTIFICATION OF RESTRICTIONS ON LOBBYING

The undersigned certifies to the best of its knowledge or belief that it complies with 49 CFR Part 20 New Restrictions on Lobbying:

- 1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- 2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- 3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, USC. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Executed this _____ day of _____, 2022.

Authorized Official

Typewritten Name

Title of Authorized Official

NOTE: CONTRACTORS ARE REQUIRED, PURSUANT TO FEDERAL LAW, TO INCLUDE THE ABOVE LANGUAGE IN SUBCONTRACTS OVER \$100,000, AND TO OBTAIN THIS CERTIFICATE FROM EACH SUBCONTRACTOR BEING PAID \$100,000 OR MORE UNDER THIS CONTRACT.

NON-COLLUSION AFFIDAVIT

STATE OF _____)

ss.

COUNTY OF _____)

_____, being first fully sworn, on oath says that () he certifies that the bid above submitted is a genuine and not a sham or collusion bid, nor made in the interest or on behalf of any person not therein named; and () he further says that the said bidder has not directly or indirectly induced or solicited any bidder on the above work or supplies to put in a sham bid nor any other person or corporation to refrain from proposing; and that said bidder has not in any manner sought by collusion to secure to self advantage over any other bidder or bidders.

Authorized Official

Typewritten Name

Title of Authorized Official

Subscribed and sworn to before me this _____ day of _____, 2022.

Notary Signature

Notary Public in and for the State of _____, residing in _____.