

# **REQUEST FOR PROPOSALS (RFP)**

(29 Del.C. §§6981 & 6982)

## **AGREEMENT NO. 1607**

### **DELAWARE WELCOME CENTER TRAVEL PLAZA VISITOR'S CENTER OPERATION**

#### **PROJECT DESCRIPTION**

The Delaware Transportation Authority ("DTA" or the "Department") is seeking to establish a five year agreement beginning July 1, 2012 with a vendor to provide information to the traveling public at the Visitor's Center facility located within the Delaware Welcome Center Travel Plaza on I-95 in Newark, Delaware.

The selected vendor will be permitted to sell tourism based marketing on the flat screen monitor, the display racks, and via web access, including, but not limited to special displays and special promotion days. Marketing cannot conflict with any of the Welcome Center operator's (HMS Host Tollroads, Inc.) programs within the Welcome Center Travel Plaza.

The selected vendor and the Delaware Transportation Authority (DTA) will determine operating hours while guaranteeing coverage during peak travel times, such times to include but not limited to weekends encompassing state holidays.

The Delaware Transportation Authority (DTA) is not responsible for the cost of operating the visitor center. Costs for operating the visitors center will need to be covered by the sale of tourism based marketing functions referenced above and pre-approved by the Department.

#### **BACKGROUND INFORMATION**

The Visitors Center space is 500 square feet, with an additional 150 square feet of storage space located within the Welcome Center Travel Plaza located in Newark, De. There are a total of six-42" color monitors; four on the back wall, one behind the desk for DE Lottery advertisement, and one for the JFK display. One telephone, four small (approx. 13") touch screen monitors, and one laptop computer that is supplied by the contractor for internet access as needed. The selected vendor will assume all computer systems, kiosks, hardware and monitors, and be responsible for their replacement and maintenance support costs.

Delaware's Welcome Center/Visitor's Center forms an integral part of the Delaware Highway System. The Visitor's Center further acts as integral part of the safe roadway travel by offering traveler information and enhancements to the tourism and travel industry of the State of Delaware. The Delaware Transportation Authority (DTA) therefore, places significant value on services to highway travelers that access the Visitor's Center and is committed to supporting the economic growth in the State of Delaware. All travelers are considered customers, and guests at the Visitor's Center and must be treated with respect, courtesy, and fairness. The delivery of services reflects on the Delaware Transportation Authority (DTA) and ultimately the citizens of Delaware.

## **VENDOR SERVICES REQUIRED**

Services include but are not limited to the following:

- Provide knowledgeable, engaging, customer focused employee staffing at the Delaware Visitor Center located at the Delaware Welcome Center on I-95 in Newark, DE.
- Provide current information about Delaware and its many attractions, events, hotels, restaurants, arts organizations, universities and companies for the travelers, via brochures and other marketing materials. Vendor will also promote DMV services and EZ Pass utilization.
- Ensure State of Delaware official marketing materials (guides, maps, etc.) are in the racks and that they are stocked at all times.
- Promote Delaware tourism initiatives through the Visitor Center.
- Ensure State of Delaware official commercials will be on the TV/ computer screens where applicable.
- Attend quarterly meetings scheduled and facilitated by the Delaware Transportation Authority (DTA) for an Operations Review.

The Welcome Center is equipped with a hotel reservation phone board located outside of the confines of the Visitor Center. While the system is not functional at this time, the Department is interested in offering this service to the traveling public. Interested vendors should be prepared to propose a solution to provide this service.

## **SUBMISSION REQUIREMENTS**

1. **Submitted Proposals** must be received by: **3:00 P.M. Local Time, Wednesday, March 21, 2012.**

Facsimile responses to this Request for Proposal are not acceptable. No response hand-delivered or otherwise will be accepted after the above date and time. Proposals arriving after the deadline will be rejected regardless of the reason for late arrival. The Department's time is considered the official time for determining the cut-off for accepting proposal submissions. Firms wishing to be considered for work on this project must submit statements expressing interest as set forth herein. Any variation, including additions, is considered a basis for rejection. Proposals are to be mailed or delivered to:

Wendy B. Henry, Consultant Control Coordinator  
Contract Administration  
Delaware Department of Transportation  
800 Bay Road, Dover, DE 19901

2. **Specific Type Firm Solicited:**  
There is no pre-registration requirement in order to submit a response on this project. The selected firm(s) may be required to register upon selection
3. **The Consultant shall submit one (1) original and five (5) copies** of their firm's proposal. Receipt of insufficient copies of proposals and non-compliance with providing the requested information in the desired format may result in elimination from the overall shortlist and selection process. Proposals should be prepared simply and economically providing straightforward and concise description of your capability to satisfy the requirements of this Request for Proposal. Emphasis should be placed on completeness and clarity of content.

4. **In order to comply with the State of Delaware’s Freedom of Information Act**, firms responding to this Request for Proposal should prepare one (1) copy of their Proposal with any proprietary or confidential information redacted. This copy should be clearly marked as “Redacted Copy” and submitted along with the other copies. Firms should review Delaware’s Freedom of Information Regulations, section 6, Requests for Confidentiality, on the DeIDOT Website [www.deldot.gov](http://www.deldot.gov) and Section 10002(g) “Public record” of the Delaware Code, <http://delcode.delaware.gov/title29/c100/index.shtml> to determine what information may be considered proprietary or confidential and may be redacted from their proposal.
5. **Joint venture** submissions will not be considered.
6. **The Department reserves the right to reject** any and all proposals. All submissions become property of the Delaware Transportation Authority and shall be retained for a period not to exceed 30 days from the date of the approved shortlist. The Department reserves the right to any and all ideas included in this response without incurring any obligations to the responding firms or committing to procurement of the proposed services.

**RATING CRITERIA**

Major factors/criteria for the establishment of a reduced candidate/shortlist and selection:

<b>CATEGORY</b>	<b>Criteria</b>	<b>Weight Assigned</b>
Qualifications and Relevant Experience	How does the firm’s qualifications and experience align with the task required? Do current or past entities for whom the firm has provided similar services indicate their ability to perform the required services with an emphasis on providing quality customer service?	<b>30</b>
Familiarity with Delaware	Is the firm proposing unique and creative ways to encourage tourism here in Delaware?	<b>30</b>
Quality of Proposal	Responsiveness to requirements and adequacy of the response; in addition completeness, clarity, readability, and presentation of material.	<b>20</b>
Business Plan	The firm’s approach to obtaining business and the qualifications of the proposed team with emphasis on their capability to meet the needs of this RFP.	<b>20</b>
Total		<b>100%</b>

**NOTE:** Shortlist and Selection Committee membership appointments are confidential.

## **QUESTIONS**

Questions regarding this RFP should be submitted via email. Questions received and the Department's response will be provided on the State of Delaware Bid Solicitation Directory Website: <http://www.bids.delaware.gov/>

## **CONTACTS**

**Questions concerning submissions and procedures** may be obtained from: Wendy B. Henry, Consultant Control Coordinator, Telephone: (302) 760-2531. E-mail address: [wendy.henry@state.de.us](mailto:wendy.henry@state.de.us).

## **OVERVIEW OF SELECTION PROCESS**

The submitted proposals will be used to determine the need for a reduced candidate's list/short list and also will be used for reference material during the actual selection process. There may be oral interview sessions scheduled with firms determined most likely to be selected, after which the committee will determine the successful candidate. The Department's Professional Services Procurement Manual may be viewed [here](#).

## **GENERAL CONTRACT TERMS AND CONDITIONS**

The selected vendor will be required to enter into a written agreement with the Delaware Transportation Authority. The State of Delaware reserves the right to incorporate standard State contractual provisions into any contract negotiated as a result of a proposal submitted in response to this RFP. Any proposed modifications to the terms and conditions of the standard contract are subject to review and approval by the State of Delaware. Vendors will be required to sign the contract for all services, and may be required to sign additional agreements.

The selected vendor will be expected to enter negotiations with the State of Delaware, which will result in a formal contract between parties. Procurement will be in accordance with subsequent contracted agreement. This RFP and the selected vendor's response will be incorporated as part of any formal contract.

If the vendor to whom the award is made fails to enter into the agreement as herein provided, the award will be annulled, and an award may be made to another vendor. Such vendor shall fulfill every stipulation embraced herein as if they were the party to whom the first award was made.

In performance of the contract, the vendor will be required to comply with all applicable federal, state and local laws, ordinances, codes, and regulations. The cost of permits and other relevant costs required in the performance of the contract shall be borne by the successful vendor. The vendor shall be properly licensed and authorized to transact business in the State of Delaware as provided in 30 *Del. C.* § 2502.

Prior to receiving an award, the successful vendor shall either furnish the State of Delaware with proof of State of Delaware Business Licensure or initiate the process of application where required. An application may be requested in writing to: Division of Revenue, Carvel State Building, P.O. Box 8750, 820 N. French Street, Wilmington, DE 19899 or by telephone to one of the following numbers: (302) 577-8200—Public Service, (302) 577-8205—Licensing Department.

Information regarding the award of the contract will be given to the Division of Revenue. Failure to comply with the State of Delaware licensing requirements may subject vendor to applicable fines and/or interest penalties.

## **Indemnification**

By submitting a proposal, the proposing vendor agrees that in the event it is awarded a contract, it will indemnify and otherwise hold harmless the State of Delaware, its agents and employees from any and all liability, suits, actions, or claims, together with all costs, expenses for attorney's fees, arising out of the vendor's its agents and employees' performance work or services in connection with the contract, regardless of whether such suits, actions, claims or liabilities are based upon acts or failures to act attributable, ole or part, to the State, its employees or agents.

## **Proprietary Rights Indemnification**

Vendor shall warrant that all elements of its solution, including all equipment, software, documentation, services and deliverables, do not and will not infringe upon or violate any patent, copyright, trade secret or other proprietary rights of any third party. In the event of any claim, suit or action by any third party against the State of Delaware, the State of Delaware shall promptly notify the vendor in writing and vendor shall defend such claim, suit or action at vendor's expense, and vendor shall indemnify the State of Delaware against any loss, cost, damage, expense or liability arising out of such claim, suit or action (including, without limitation, litigation costs, lost employee time, and counsel fees) whether or not such claim, suit or action is successful.

If any equipment, software, services (including methods) products or other intellectual property used or furnished by the vendor (collectively ""Products") is or in vendor's reasonable judgment is likely to be, held to constitute an infringing product, vendor shall at its expense and option either:

- (a) Procure the right for the State of Delaware to continue using the Product(s);
- (b) Replace the product with a non-infringing equivalent that satisfies all the requirements of the contract; or
- (c) Modify the Product(s) to make it or them non-infringing, provided that the modification does not materially alter the functionality or efficacy of the product or cause the Product(s) or any part of the work to fail to conform to the requirements of the Contract, or only alters the Product(s) to a degree that the State of Delaware agrees to and accepts in writing.

## **Insurance**

The Vendor recognizes that it is operating as an independent contractor and that it is liable for any and all losses, penalties, damages, expenses, attorney's fees, judgments, and/or settlements incurred by reason of injury to or death of any and all persons, or injury to any and all property, of any nature, arising out of the vendor's negligent performance under this contract, and particularly without limiting the foregoing, caused by, resulting from, or arising out of any act of omission on the part of the vendor in their negligent performance under this contract.

The vendor shall maintain such insurance as will protect against claims under Worker's Compensation Act and from any other claims for damages for personal injury, including death, which may arise from operations under this contract. The vendor is an independent contractor and is not an employee of the State of Delaware.

During the term of this contract, the vendor shall, at its own expense, carry insurance minimum limits as follows:

a.	Comprehensive General Liability	\$1,000,000
b.	ty/Misc. Error & Liability	\$1,000,000/\$3,000,000

If the contractual service requires the transportation of departmental clients or staff, the vendor shall, in addition to the above coverages, secure at its own expense the following coverage:

a.	Bodily Injury)	\$100,000/\$300,000
b.	Automotive Property Damage (to others)	\$ 25,000

### **PROPOSAL REQUIREMENTS**

The letter portion of the proposal shall indicate the firms desire to perform services and indicate the specific tasks or areas of expertise, which will be subcontracted, and to whom. Interested firms must submit the material required herein or they will not be considered for the project.

1. Please submit the firm’s mailing address, phone number, and an e-mail address for the firm's point of contact person on page 1 of the Letter of Interest. Future contacts by the Department will be done via e-mail, whenever possible.
2. The Proposal submission should be tabbed and collated in the following order:

**A. Table of Contents**

Table of Contents (1 per set) - Limited to One (1) page on 1 sheet of paper

**B. Letter of Interest**

- (1) An understanding of the anticipated assignments, services required, and approach to providing the services required.
- (2) Identify who the proposed project manager will be and what office location they will be working from.
- (3) The location, size, and description of the firm.
- (4) Availability of personnel for immediate placement.
- (5) Sub-consultant usage if anticipated. Indicate the percentage of work estimated to be performed by the sub vs. the prime. Also, indicate if the prime consultant has previously worked with the proposed sub and give a brief example of the previous relationship(s).
- (6) Experience with similar projects and services.

**C. Company Information**

Submit the following packet of information titled “Company Information” to include:

- (a) Name of entity and address.
- (b) Brief History of the company
- (c) Resumes for key persons (single sided sheets of paper for resumes – 1 resume on each sheet). Indicate if the individual is a full-time member of your firm, part-time, on-call, etc. Indicate where key personnel are currently assigned & the length of the assignment. Clearly identify who will be the Project Manager.

- (d) List projects that your firm has participated in within the last 3 years that are similar to the requirements in the Project Description portion of this Request for Proposal. Include project name & location, nature of responsibility, contracting agency & address on one-single sided sheet of paper maximum for each project.
- (e) Additional information you would like to submit is limited to 1-single sided sheet of paper.

The Department is not liable for any cost incurred in the preparation or presentation of the Statement of Qualifications.

Any individual, business, organization, corporation, consortium, partnership, joint venture, or any other entity including subconsultants currently debarred or suspended is ineligible to participate as a candidate for this process. Any entity ineligible to conduct business in the State of Delaware for any reason is ineligible to respond to the RFP.

The Department of Transportation will affirmatively insure individuals and businesses will not be discriminated against on the grounds of race, creed, color, sex, or national origin in consideration for an award. Minority business enterprises will be afforded full opportunity to submit bids/proposals in response to this invitation.

**Department of Transportation**

**State of Delaware**

**By: Shailen P. Bhatt**

**Secretary**

**Dover, DE**

February 24, 2012