



State of Delaware
Department of Natural Resources and Environmental Control
Delaware Division of Parks and Recreation
89 Kings Highway
Dover, Delaware 19901

March 30, 2016

TO: ALL OFFERORS

FROM: SUSAN RISBON
PARALEGAL I, DIVISION OF PARKS AND RECREATION

SUBJECT: **CONTRACT NO.: NAT16003_BEACH RESTAURANT AND AMENITIES AT DELAWARE SEASHORE STATE PARK SOUTH OUTLET (DAY USE AREA)**

ADDENDUM # 2 Q&A

THIS Q&A INCLUDES QUESTIONS THAT PREVIOUSLY HAD NOT BEEN ANSWERED, THEY ARE HIGHLIGHTED IN YELLOW.

1. Do you have an Estimated Project Value or Budget for this project?

We do not have a budget or estimated project value as it would depend on what the Awarded Vendor proposed for the operation. The Division has requested creative business proposals for the Beach Restaurant and Amenities. The Vendor shall be solely responsible for capital investment/improvements funding.

2. PAST OPERATIONS & REVENUE:

a. Could you please provide last 3 years of sales data for concession stand as it exists?

We are providing 2 years of gross receipt data, please note that the recent concession operation platform we operated is different then what we are requesting in the current RFP, therefore we anticipate different gross receipts in the future. (2015 gross receipts \$85,137.97; 2014 gross receipts \$98,813.00)

b. Did they provide delivery services to the beach? RV park?

No, delivery service has not previously been included as it was not in the scope of work for the concession.

c. Do you have a copy of the menu and prices of the previous concession stand?

Menu and pricing could vary. Base costs are below and there were more menu items. Please note that the recent concession operation platform we operated is different then what we are requesting in the current RFP. This question is not very applicable to the current RFP.

- Hamburger \$3.50
- Cheeseburger \$3.75
- All Beef Hot Dog \$2.75
- Chili & Cheese Dog \$3.50
- Small Fries \$3.50
- Chicken Fingers, w/Fries \$7.50

- Soft Pretzel \$2.50
- Nachos \$3.00
- Bottled Water \$2.00
- Large Soda \$3.00

d. What were the hours of operations for the past concession stand?

This question is not applicable to the current RFP. The current RFP lists the hours of operation for the Beach Restaurant.

e. Are there any aesthetic or conceptual restrictions on the location? Style or look, Type of construction materials, etc.

Currently, the Delaware State Park beach concession area designs are similar; however this is not a mandatory requirement. Vendors are invited to propose creative designs consistent with the goals of their proposal. All designs are subject to DNREC review and approval.

f. Noticed some non-living brush on top of the dunes.... Would you be able to remove any non-living material to clear the views?

Nothing can be touched on the dunes.

3. FUTURE OPPORTUNITY RELATED

a. What is the total electrical amps capability to the entire site? Saw 1 200 amp panel in kitchen, is there more access to power already existing or would you need to bring more power in through the power company?

At the moment the Division has confirmation of 200amp service in the concession building.

b. Any issue with connecting to the existing water or sewer system as it current exists?

The Current infrastructure is in good condition and is adequate for current building use.

c. Are there any building height limitations?

Height limitation is 2 stories – 12-14’ per story.

d. Do you have any structural load capacity numbers from a structural engineer for either building? Could you share?

None available.

4. Would you happen to know if questions are permitted to send to you or is it a certain protocol?

All requests, questions, or other communications about this RFP shall be made in writing to the State of Delaware. Questions shall be handled as indicated on page 5 of the RFP.

5. Noting phasing into three periods, does the vendor guarantee a \$30,000.00 from the outset?

The annual Contract fee of \$30,000 is the minimum contract fee. Percentage of gross receipts may be tiered to allow return on investment to the Vendor.

6. Noting on site considerable required maintenance (rusted closures, etc.), has DNREC performed any detailed survey of adequate, overall updates? Any intended capital improvements intended by DNREC?

The Division has not performed any update surveys in preparation for this RFP. The Division has no planned capital improvements intended at this time. Creative business proposals for the Beach Restaurant and Amenities will be considered by the Division.

7. Stating capital improvements by vendor, is a three year lease adequate to recover major capital improvements?

That would be determined by the vendor, what Capital improvements they proposed and how quickly they could recoup their return on investment. The contract is valid from May 15, 2016 to February 28, 2021 and also has renewal periods. The Division reserves the right to enter into longer contracts.

8. Rented kitchen equipment can be returned to lessor at no recoverable costs to DNREC?

The awarded Vendor shall remove all vendor-owned or rented equipment and supplies from the operation location(s) no later than an agreed to date once all contract obligations by the Vendor have been met.

9. Has DNREC, considering the imminence of deadlines, entertained separately contracting to mobile food providers?

Not for this contract. Subcontracting is permitted under this RFP and Contract.

10. Will DNREC ensure license to sell alcohol on the premises?

All necessary permits, licenses, insurance policies, etc. required by local, State or Federal laws, shall be provided by the Vendor at its own expense. Operating permits and licenses shall be acquired by the Vendor for Public Health restaurant management and food service, as well as a liquor license issued by the Delaware Alcohol Beverage Commission to serve and sell alcohol.

11. Will vendor have exclusive rights of providing food, beverages, supplies, equipments, rental of paddle/sailing gear for entirety of the grounds? Does DNREC have right to separately negotiate contracts for other and/or indicated sub contracts to the selected vendor?

The Vendor shall have an exclusive franchise as the sole daily business vendor for providing Beach Restaurant and Amenities (not including rental of umbrellas or chairs which remains the responsibility of the Division and not including Division scheduled events and activities that may have other food, beverage, entertainment, and activity vendors (including Friends Groups) at Delaware Seashore State Park South Inlet (Day Use Area) described herein. The Division shall not take any action to interfere with the rights granted hereunder so long as the Vendor shall faithfully conform to all the provisions herein. As an exception, the Division reserves the right to schedule events and activities at Delaware Seashore State Park South Inlet (Day Use Area) with vendors of their choosing (event based, example: Boo-B-Que). The Division does not negotiate with the awarded vendor's subcontractors; the awarded vendor is the responsible party to the contract.

12. What major changes to site and buildings does DNREC entertain to come to "State of the Art "? How do you measure "quality"?

For purposes of this RFP, "state of the art" refers to equipment and should be high quality/level devices for maximum production and quality foods and service. All measured scoring included in this RFP are noted in the Criteria and Scoring section on page 16 of the RFP. This will be determined by a proposal evaluation committee based on review of proposals received.

13. What is the annual budget for maintenance and grounds by DNREC? Annual income currently?

This question is broad. "Annual budget for maintenance and grounds by DNREC" is not clear on what is being requested. Annual gross receipts income for the concession site for 2015 was \$85,137.97 and for 2014 was \$98,813.00.

14. Are there any planned improvements of landscaping and buffering of parking areas?

The Division has no planned improvements intended at this time. Creative business proposals for the Beach Restaurant and Amenities will be considered by the Division.

15. Any planned improvements for ingress and egress to site? Control segregation for shore vs. eating establishment?

The Division has no planned improvements intended at this time. Creative business proposals for the Beach Restaurant and Amenities will be considered by the Division.

16. Will vendor be required at his/her cost to make capital improvements to meet Public health/restaurants? Will vendor not receive compensation for such?

The Vendor shall pay all State and Federal taxes and/or license fees which may be imposed or legally chargeable, and, obtain all necessary permits and licenses, including but not limited to, a Delaware Business License, Public Health License, Liquor Licensing and other necessary permits at its own cost and expense as a result of operating the Beach Restaurant and Amenities as part of the services.

17. Item 38 of RFP-gratuities (noting for service, substantial income is from gratuities)-should this not read "shall", rather than "may"---and as a norm for a contract?

The language in the RFP is acceptable to the Division for purposes of this RFP.

18. Noting required set-backs, what are the height limitations, including over existing vacate food prep areas?

The Division does not fully understand this question, but required food service standards normally associated with a restaurant are applicable.

19. Item 41- Consistent to Del. State Law- should not abbreviated arbitration be acceptable?

The language in the RFP is acceptable to the Division for purposes of this RFP.

20. PLEASE EMAIL LIST/ADDRESSES, ETC. OF THOSE ATTENDING MANDATORY PRE BID MEETING.

Pre-Bid Attendance was posted to http://bids.delaware.gov/bids_detail.asp?i=3683&DOT=N following the meeting.

21. What's your favorite color?

The Division doesn't have a favorite color. We would state that any colors should be appealing to the eye and in-line with the conceptual proposal by the Vendor.