REGIONAL DISTRICT OF NANAIMO

REQUEST FOR PROPOSAL

FOOD AND BEVERAGE VENDING SERVICES
FOR THE REGIONAL DISTRICT OF NANAIMO,
RECREATION FACILITIES OF OCEAN SIDE PLACE
AND RAVENSONG AQUATIC CENTRE
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The Regional District of Nanaimo (RDN) is seeking responses to the following request for proposal:

The work is described as Food and Beverage Vending Services.

Responses clearly marked REQUEST FOR PROPOSAL – FOOD AND BEVERAGE VENDING SERVICES FOR THE REGIONAL DISTRICT OF NANAIMO, RECREATION FACILITIES OF OCEANSIDE PLACE AND RAVENSONG AQUATIC CENTRE and will be received up until 2:00 p.m. PST on Friday November 27, 2015 by:

Ann-Marie Harvey, Senior Secretary
RDN Recreation and Parks Department
Oceanside Place
Main Floor Reception Office
830 West Island Highway, Parksville, BC V9P 2X4

Faxed responses will not be accepted. Late proposals will not be accepted and will be returned to the proponent unopened.

Responses may be withdrawn before the deadline upon written notice (facsimiles of notice will be accepted) addressed to Ann-Marie Harvey, at 250-248-3294 (f).

Responses withdrawn may be replaced by alternative responses providing written notice that an alternative proposal will be submitted (facsimiles of notice will be accepted) is delivered to Ann-Marie Harvey at least twenty-four hours before the deadline for closing noted herein.

Responses must remain valid for 90 days following the closing time and date. Responses are irrevocable after the closing time and date.

The Regional District of Nanaimo reserves the right to reject any and all proposals for any reason or to accept any proposal received which the Regional District, in its sole unrestricted discretion deemed most advantageous to itself. The lowest or any proposal may not necessarily be accepted. The proponent acknowledges the Regional District’s rights under this clause and absolutely waives any right of action against the Regional District for the Regional District’s failure to accept its proposal whether such right of action arises in contract, negligence, bad faith or any other cause of action. The acceptance of any proposal is subject to funds being legally available to complete this transaction and/or approval by the Board of the Regional District or the officer or employee of the Regional District having authority to accept the proposal.

Unless otherwise authorized in writing by John Marcellus, Superintendent of Arenas Services, a proponent must not contact or communicate with any elected or appointed officer, or employee of the
Regional District other than the Superintendent of Arenas Services in relation to this solicitation prior to an award of the services by the Regional Board or the officer or employee of the Regional District having authority to accept the proposal. Any such communication may result in disqualification of the proposal from further consideration.

The Regional District of Nanaimo is subject to the provisions of The Freedom of Information and Protection of Privacy Act. As a result, while Section 20 of the Act offers some protection for third party business interests, the Regional District cannot guarantee that any information provided to the Regional District can or will be held in confidence.

Further information regarding the specifications in this solicitation may be obtained from:

John Marcellus- Superintendent of Arenas Services  
Telephone: 250-248-3252  
Email: jmarcellus@rdn.bc.ca

In the Superintendent’s absence, proponents may contact:  
Dean Banman - Manager of Recreation Services  
Telephone: 250-248-3252  
Email: dbanman@rdn.bc.ca
1.0 INTRODUCTION & SCOPE

1.1 Eligibility

Potential proponents are not eligible to submit a proposal if current, past or other interests, in the Regional District’s opinion, may result in a conflict of interest in connection with this project.

1.2 Acknowledgement of Receiving RFP

Included with the RFP documents is the “Acknowledgement of Receipt Form”, (Appendix I), which proponents are required to fill out and fax or email back to 250-248-3294 or recparks@rdn.bc.ca by Friday November 6, 2015 at 2:00 p.m. PST. This confirmation form will ensure that interested proponents will receive addendums to the RFP and any subsequent information such as our response to questions that may clarify sections of the RFP. It also acts as confirmation to us that you received the RFP document and provides you with a simple process to indicate to us if you are not interested in responding to the RFP call.

1.3 Purpose of the Work

The Regional District of Nanaimo invites qualified Proponents with the capabilities and experience to submit proposals to enter into an agreement for services at two RDN Recreation facilities for a turnkey vending machine operation to provide nutritional snacks and beverages, including but not limited to all equipment, supplies and personnel necessary to supply, install, stock, operate and maintain the equipment outlined in their proposal. All costs of operating the vending machines will be to the account of the successful proponent.

1.4 Locations

Vending and Beverage machines:

**Oceanside Place**, 830 West Island Highway, Parksville, B.C.

In entrance main lobby (approximately 16 feet) adjacent to the Pond ice sheet. Currently there are 4 vending machines in total (2 beverage, 1 snack, 1 food,).

**Ravensong Aquatic Centre**, 737 Jones Street, Qualicum Beach, B.C.

In lobby across from the offices (approximately 10 feet). Currently there are 3 vending machines in total (1-beverage, 1-food, 1-snack).

Plus any other venues that may be designated by the RDN and may fall under the control of such an agreement.
2.0 REQUIREMENTS

2.1 Scope of Work

The agreement term shall be three (3) years, with an option to renew at the Regional District’s discretion for two (2) additional one-year terms, with mutual written agreement between the parties.

The successful proponent will be the sole, exclusive and official food and beverage supplier, distributor and advertiser for vending services at the Facilities during this agreement. In the event a beverage company other than the successful proponent sponsors an event, the successful proponent authorizes through express written consent the approval for specialized signage and other event related paraphernalia including but not limited to hats, t-shirts, and headbands. The RDN agrees to notify the successful proponent in writing at least two (2) weeks prior to such an event.

All determinations regarding product equivalency and exclusivity will be at the RDN’s sole discretion. The RDN will endeavor to make decisions in a reasonable manner based on the available information. The RDN and the successful proponent will work cooperatively to resolve situations. However the RDN will always remain the final decision authority in all matters.

Standard water coolers and plumbed water and fountains are exempt from the agreement.

At the time of proposal, the RDN allows bottled water to be sold in recreation facilities. That being said, the RDN Board could at any point change their stance during the contract period and the successful proponent would be expected to work with RDN staff to implement the Board’s direction.

On occasion, the RDN reserves the right to cover up beverages or vending signage for a specific event held in the facilities. The RDN would inform the successful proponent in writing two weeks in advance of this occurring. The RDN will provide written 5 days written notice of any signage coverage which may be necessary.

2.2 Healthy Choices Vending

The Regional District is inviting proposals that provide: competitive pricing, strategic pricing to encourage sales of healthy choices, a pleasing product presentation style, display signage on vending machines which reflects healthier choices, little duplication of product in the same machine, and awareness of current trends in the healthy choices and environmental fields.

Healthy Choices Vending is when all vending machines offer healthier food and beverages according to the Nutritional Guidelines for Vending Machines in BC Public Buildings.
**RDN Recreation and Parks have taken the following steps to promote healthy choices:**

1. Promote an environment that encourages healthier eating in line with the goal of reducing health care costs by promoting individual health,

2. Using the *Nutritional Guidelines for Vending Machines in BC Public Buildings* which identifies four categories: Choose Most, Choose Sometimes, Choose Least and Not Recommended, to set transitional targets,

3. Implement a three year phased-in percentage transition chart for the large vending machines contract with the goal of providing 0% Choose Least and Not Recommended by the end of the three year period, and

4. Work with service providers to ensure a broader range of healthier food and beverage choices available in vending machines including:
   
   a. assisting vending operators in identifying healthier food and beverage choices
   
   b. requiring that contracted vending services display healthy choices as the most visible choice in the food services area and vending machines
   
   c. recommending smaller portion-sized selections be made available in all food and beverage categories to ensure consumers have a range of choices regarding portion size and price
   
   d. monitoring the healthy food and beverage choices provided in vending machines every six months to ensure percentage goals and healthy choices guidelines are being met.

**Three Year Transition Chart:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Choose Most and Sometimes</th>
<th>Choose Most</th>
<th>Choose Sometimes</th>
<th>Choose Least and Not Recommended</th>
<th>Choose Least</th>
<th>Not Recommended</th>
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<tr>
<td>Year 1</td>
<td>70%</td>
<td>50%</td>
<td>20%</td>
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<td>15%</td>
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<tr>
<td>Year 2</td>
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<td>70%</td>
<td>30%</td>
<td>0%</td>
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*Reference: RDN Healthy Choices Philosophy and Guiding Principles, 2010*
2.3 **Proponent Responsibilities**

Vending machine products will follow the Year 3 guidelines of the transition chart outlined above for the Choose Most, Choose Sometimes, Choose Least and Not Recommended (CM, CS, CL, NR) categories. Consultation with the RDN may be required to ensure the approved percentages and a balance of products is provided.

The percentages identified in three year transition chart are applicable to each individual machine, rather than a bank of machines. Thus, each machine must meet the identified percentages of CM, CS, CL and NR.

A food plan for each vending machine is required at the start of the agreement and is subject to approval by the RDN. The products may change, but the categories identified in the transition chart must be followed by the successful proponent. It is expected that the successful proponent will investigate healthy products suitable for RDN clientele.

The products to be supplied through all vending machines shall be pure, wholesome, fresh and fit for human consumption. Cigarettes and alcohol shall not be sold. Expired food should not be provided in the machines and if found present, must be removed immediately.

Vending machines should be appealing in appearance, free of any dominant product advertising logos and dependable in their operations. The successful proponent shall support and install any **Stay Active, Eat Healthy and/or BCRPA designed tools** signage on their vending machines as requested and upon approval of the Regional District to support healthy eating. Product advertising logos on the machines must be approved in advance by the RDN.

The proponent may provide discounted beverage pricing for the Concession Services Operator at Oceanside Place Arena and outline the details in the proposal.

The successful proponent shall remit commissions on an agreed upon time frame basis, supported by a summary of the sale of all goods on each machine, to the appropriate facility. The proponent is required to submit an illustrative sample of the type of report showing sales and commissions payable to the RDN with the proposal.

The successful proponent will provide a cash float to the RDN in case of machine malfunctions to permit customer refunds. The float will be held and operated on behalf of the Proponent by the RDN.

The proponent is required to submit semi-annual reports for each machine showing the products sold in the Healthy Choices (CM, CS, CL, NR) categories on July 31 (for January-June) and January 31 (for July-December).
Final machine selection, product selection and price ranges will be based upon consultation with the Regional District, and the Regional District reserves the right to determine final selections.

All machines shall be placed where approved by the RDN and shall not be installed or removed without the prior approval of the RDN.

Change machines must be provided at all sites. ATMs and/or bank machines are exempt from this agreement.

The successful proponent must keep up, maintain, repair and service the machines at its own expense. The proponent must provide prompt service for malfunctioning machines and resolution of any other operating concerns. Machine servicing must be provided within 12 hours from the time a call is made between the hours of 8 am to 10 pm, seven days a week, excluding statutory holidays. Food product replenishment and refund float replenishment must be provided within 12 hours from the time a call is made between the hours of 8 am to 6 pm, seven days a week, excluding statutory holidays.

Proponents must ensure that the vending machines and sale of products comply at all times with any regulatory bodies which govern such operations, including but not limited to any federal, provincial or local government bodies. Machines supplied must be at all times a maximum of three (3) years of age, holding a CSA, UL or NSF certification and having a GFI breakers system in place, energy efficient (e.g. lights turn off when not in use), and in acceptable condition and appearance. The Regional District reserves the right to request replacement of equipment if in its opinion the malfunctioning of the equipment is detrimental to the revenue generating opportunity provided within the facility. The machines must be anchored to the facility to prevent tipping and for earthquake preparation, upon approval by RDN staff.

Within SEVEN (7) days of award of this Request for Proposal, the successful Proponent must provide proof of general commercial liability insurance coverage including non-owned automobile coverage in an amount of not less than FIVE MILLION DOLLARS ($5,000,000). The successful proponent shall be required to add the Regional District to the policy of insurance as an additional named insured with respect to the agreement entered into arising from this proposal call.

2.4 Regional District Responsibilities

The RDN will provide equipment space, power and water to the vending machine locations. Proponents should review the existing machines and locations for accurate measurements. Proponents are entirely responsible for determining whether the locations can accommodate their equipment. Should a proponent require additional space they must provide specific details regarding the space required and a drawing showing how the equipment will look once in place. The Regional District will in its sole
opinion determine whether it is prepared to permit adjustments or reconstruction of the existing spaces which shall in all cases be at the proponent’s sole cost.

The Regional District will provide and maintain any recycling containers for recyclable items from the vending machines and shall retain all recyclable containers to its own account.

The Regional District closes its recreation facilities for maintenance activities. Oceanside Place or portions thereof may be closed for maintenance activities for up to 6 weeks, generally between May 1st and August 31st. Ravensong Aquatic Centre is shutdown annually for three to four weeks from approximately late August to mid-September, subject to operational requirements.

2.5 Other

Proponents are advised that there is a concession service operation within Oceanside Place Arena which has window access both to the main lobby and to the Howie Meeker Rink. The Concession Services Operator follows the Healthy Choices philosophy with a separate approved plan. It is expected that products and prices will not conflict between the successful proponent and the Concession Services Operator. The successful proponent is to maintain an effective working relationship with the Concession Services Operator.

Other concurrent food and beverage sales may take place from time to time. Examples might include food fairs, circuses, home shows, or similar types of events selling beverages and/or food products as an integral part of the event. The RDN will neither encourage nor discourage food and beverage sales associated with these types of events.

3.0 EVALUATION CRITERIA AND EVALUATION PROCEDURES

3.1 Mandatory Criteria

The following are mandatory requirements:

- Proponents intending to submit a proposal must submit a completed “Acknowledgement of Receipt Form” (Appendix I) on or before Friday November 6, 2015 at 2:00 p.m. PST.
- A completed proposal has been received on or before the submission date of Friday November 27, 2015 at 2:00 p.m. PST. Proponents must submit (3) original hard copies and (1) electronic version in MS Word/PDF format in the form of a CD/DVD or flash drive. Proposals must be enclosed and sealed in an envelope/package clearly marked: RFP Food and Beverage Vending Services for RDN Recreation Facilities of Oceanside Place and Ravensong Aquatic Centre.
3.2 Evaluation Criteria

Proposals will be assessed against the following criteria, which are not intended to be exhaustive and are not ranked in order of preference or priority:

a. Company (30 Points)

- Short Corporate background, history, overview, and experience of the Company.
- Key Corporate personnel and their role as it relates to the RDN’s account.
- Nearest local branch and the branch’s role.
- Key local contacts and their roles and responsibilities.
- The type, mix and location of equipment to be supplied in each facility.
- Equipment Servicing, roles and responsibilities, where service is provided from, in house service or contracted third party, how to get service during normal business hours, after hours and on and emergency basis for all equipment, onsite service response times during regular business hours, after hours and on an emergency basis. Advise if all service call outs are included or if there are any charges for any labour, parts, consumables, etc
- Product portfolio available now and products contemplated to be added in the future complete with estimated timelines.
- Financial management & reporting.
- Provide details on how your company will manage beverage vending.
- Anything else the proponent may wish to include to enhance this section.

b. References (20 Points)

A separate section for references: THREE (3) references from locations where similar services have been provided within the past TWO (2) years. Indicate the term of contract, and provide a name, address and telephone contact numbers.

c. Financial Information (30 Points)

- Your proposed one time marketing fund payment payable to the RDN
- Your proposed annual marketing fund payment payable to the RDN
- An outline of any value added concepts such as non-monetary support, partnerships or marketing programs or any other information which the proponent believes is relevant to their proposal
- A percentage of monthly gross revenues (commission) to be offered to the RDN, in addition to the terms and schedule of payments.
- An illustrative sample of the type of report to be provided showing sales and commissions payable to the RDN
- Option of discounted pricing for food services operator, or independent purchasing option
- A description of refund procedures and the size of the refund float to be provided
d. **Healthy Choices (20 Points)**

A separate section outlining: the types of food and beverages to be provided, competitive pricing, strategic pricing to encourage sales of healthy choices, a pleasing product presentation style, display signage on vending machines which reflects healthier choices, little duplication of product in the same machine, and awareness of current trends in the healthy choices and environmental fields.

3.3 **Evaluation Process**

Subsequent to the submission of proposals, interviews may be conducted with a short list of proponents, but there will be no obligation to receive further information, whether written or oral, from any proponent.

The RDN will not be obligated in any manner to any proponent whatsoever until a written contract has been duly executed.

At the option of the RDN, proponents may be required to make a presentation to assist in the evaluation process. Proponents acknowledge without conditions of any kind, that the RDN is under no obligation to provide an opportunity for a presentation by any proponent, and may select a successful proponent without presentations by others.

3.4 **Financial Stability**

The successful proponent may be required to demonstrate financial security and must be legally able to conduct business in BC.

4.0 **POST-EVALUATION PROCEDURES**

4.1 **Privilege or Right to Cancel**

Notwithstanding any custom or trade practice to the contrary, the RDN reserves the full right to, in its sole discretion and according to its own judgment of its best interests:

a) waive any technical or formal defect in a proposal and accept that proposal;
b) negotiate with one or more proponents;
c) agree with any proponent on modifications or changes to the proposal and/or
d) reject any and all proposals.

4.2 **Negotiation Delay**

If a written contract cannot be negotiated within 10 days of notification to the successful proponent, the RDN may, at its sole discretion at any time thereafter, in writing, terminate negotiations with that proponent and either negotiate a contract
with the next qualified proponent or choose to terminate the Request for Proposal process and not enter into a contract with any of the proponents.

5.0 PROPOSAL PREPARATION

This section defines the proposal preparation and submission procedures that are to be followed by all proponents. Proponents are cautioned to carefully read and follow the procedures required by this Request for Proposal, as deviation from these requirements may be cause for rejection.

The proposal must be signed by the person(s) authorized to sign on behalf of the proponent and to bind the Proponent to statements made in response to this Request for Proposal.

5.1 Acceptance of Terms

All the terms and conditions of this Request for Proposal are assumed to be accepted by the proponent and incorporated in their proposal.

5.2 Confidentiality

All information pertaining to this assignment obtained by a proponent as a result of participation in this project is confidential, and must not be disclosed without the written authorization of the RDN.

5.3 Proposal Format

Evaluation of proposals is made easier when proponents respond in a similar manner. The following format and sequence should be used to provide consistency in proponent response and to ensure that each proposal receives full consideration. All pages should be consecutively numbered.

a) Title page, showing Request for Proposal title, closing date and time, proponent’s name, address, telephone number, and contact name.
b) One page letter of introduction identifying the proponent and signed by the person or persons authorized to sign on behalf of, and bind the proponent to statements made in the proposal.
c) Table of Contents including page numbers.
d) A short one or two page summary of key features of the proposal.
e) The body of the proposal addressing items in the order noted below under Proposal Content.
5.4 Proposal Content

Your proposal should include the following information:

a) Company profile that briefly summarizes your organization, its size, the number of years in business and the scope of products and services you offer;

b) Name, title and telephone number of the employee authorized to negotiate and to ratify an agreement for this service;

c) Brief summary of similar contracts undertaken within the last three years;

d) Minimum of three references from locations where similar services have been provided within the past two years. Indicate the term of contract, and provide a name, address and telephone contact numbers;

e) Summary of Financial Information Form – showing the percentage of monthly gross revenues (commission fees) to be offered to the RDN, the terms and schedule of commission fee payments, the one time marketing fund amount, the annual marketing fund amount, the size of the refund float, and whether food services operator is offered discounted pricing or independent purchasing. Use Appendix II Summary of Financial Information Proposal Form to submit your proposal;

f) An illustrative sample of the type of report to be provided showing sales and commissions payable to the RDN; and

g) Any other information the Proponent feels is relevant to the RFP;

A designate will be assigned by the RDN as the contract administrator to oversee the contract awarded to the successful proponent. The successful proponent will be expected to name a counterpart manager who shall among other duties be responsible for all communications with the RDN designate.

5.5 Proponents’ Expenses

Proponents are solely responsible for their own expenses in preparing, delivering or presenting a proposal and for subsequent negotiations with the RDN, if any.

5.6 Currency and Taxes

Prices quoted are to be:

a) In Canadian dollars and;

b) Exclusive of Provincial and/or Federal Sales Taxes (PST, GST or HST)
5.7 **Completeness of Proposal**

By submitting a proposal, the proponent warrants that all components required to deliver the services requested have been identified in the proposal or will be provided by the Proponent at no additional charge.

5.8 **Inquiries**

Direct all inquiries related to this Request for Proposal to the Superintendent of Arenas Services. Information obtained from any other source is not official and may be inaccurate. Inquiries and responses may be recorded and distributed to all proponents at the RDN's option.

### 6.0 PROPOSAL CHANGES AND AMENDMENTS

6.1 **Liability for Errors**

While the RDN has made an effort to ensure accurate representation of information in this Request for Proposal, the information is supplied solely as a guideline for proponents. The RDN neither guarantees nor warrants the accuracy of the information nor claims that it is necessarily comprehensive or exhaustive. Nothing in this Request for Proposal is intended to relieve proponents from forming their own opinions and drawing their own conclusions respecting matters addressed in this Request for Proposal.

6.2 **Notification of Changes to the RFP**

All proponents interested in this Request for Proposal will be notified of any changes made to this document.

### 7.0 FORM AND CONTENT OF CONTRACT

7.1 **Definition of Contract**

Notice in writing to a proponent of the acceptance of their proposal by the RDN and the subsequent execution of a written contract will constitute a contract for the services, and no proponent will acquire any legal or equitable rights or privileges relative to the services until the occurrence of both such events.

7.2 **Proposals as Part of Contract**

Proposals may be negotiated with proponents and if accepted, may form part of the contract.
APPENDIX I

REGIONAL DISTRICT OF NANAIMO

RFP – FOOD AND BEVERAGE VENDING SERVICES

ACKNOWLEDGEMENT OF RECEIPT FORM

Return form by fax or email, no later than 2:00 p.m. PST Friday November 6, 2015 to:

Ms. Ann-Marie Harvey
Senior Secretary
FAX: (250) 248-3294
recparks@rdn.bc.ca

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<td>Address:</td>
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<td>Phone:</td>
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We have received a copy of the above-noted RFP and:

_______________ we will be submitting a proposal

_______________ we will not be submitting a proposal
APPENDIX II

REGIONAL DISTRICT OF NANAIMO
RFP – FOOD AND BEVERAGE VENDING SERVICES

SUMMARY OF FINANCIAL INFORMATION PROPOSAL FORM

To:
Ann-Marie Harvey, Senior Secretary
RDN Recreation and Parks Department
Oceanside Place
830 West Island Highway, Parksville, BC V9P 2X4

The undersigned Proponent, having carefully read and examined the Request for Proposal and having full knowledge of the food and beverage vending services, agrees to provide the following commission fees, marketing funds, float, and option for the Concession Services Operator to the Regional District of Nanaimo:

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<th>Name of Proponent:</th>
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<td>Name, Signature, and Title of Signing Officer:</td>
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SUMMARY OF FINANCIAL INFORMATION PROPOSAL SCHEDULE

| % of Monthly Gross Revenues for Commission Fee: |  |
| Terms and Schedule of Commission Fee Payments: |  |
| One Time Marketing Fund amount: |  |
| Annual Marketing Fund amount: |  |
| Size of Refund Float (attach refund procedures): |  |
| Concession Services Operator Option (please check): | □ discounted pricing for beverages |
| Options : (explain) |  |
SCHEDULE “A”