

# **TIER I**

## **15<sup>th</sup> DISTRICT AGRICULTURAL ASSOCIATION**

### **INVITATION FOR BID (IFB) PACKAGE FOR 2023 METAL DETECTION SCREENING EQUIPMENT RENTAL**

## **IFB #23-04**

**Contact Person:** **Michael Olcott, Chief Executive Officer**

This person is the only authorized person designated by the DAA to Receive communication concerning the IFB. **PLEASE DO NOT ATTEMPT TO CONTACT ANY OTHER PERSON CONCERNING THIS IFB.** Oral communication of DAA officers and employees concerning the IFB shall not be binding on the DAA, and shall in no way excuse the bidder of obligations as set forth in the IFB. Only questions concerning the technical requirements of the IFB will be answered.

**Release Date:** **Wednesday, June 28, 2023**

## DEFINITIONS

**BIDDER** The individual, company, organization, or business entity submitting the bid in response to the Invitation for Bid.

**15<sup>th</sup> DAA** Refers to the 15<sup>th</sup> District Agricultural Association which is a State agency of the State of California and is not a local agency of government.

**F & E** Refers to the Division of Fairs and Expositions, Department of Food and Agriculture, which is a division of the agency of the State of California overseeing the activities of District Agricultural Associations and County and Citrus Fruit Fairs. F & E is located at:

1220 "N" Street  
Sacramento, CA 95814

**DGS** Refers to the "Department of General Services", State of California, located at:

Department of General Services  
707 Third Street  
West Sacramento, CA 95605  
Attention: Legal Office

**IFB** Invitation for Bid

**DVBES** Refers to Disabled Veteran Business Enterprises which are a part of the Disabled Veteran Business Enterprise (DVBE) Participation Goal Program for state contracts established in Public Contract Code (PCC), Section 10115 et seq., Military and Veterans Code, Section 999 et seq. and California Code of Regulations, Title 2 (2CCR), Section 1896.60 et. seq.

**A. BIDDER RESPONSIBILITY**

Read the Invitation for Bid (IFB) very carefully as the State shall not be responsible for errors and omissions on the part of the bidder. Carefully review final submittal as reviewers will not make interpretations or correct detected errors in calculations.

**B. PURPOSE**

The Board of Directors of the 15<sup>th</sup> DAA/Kern County Fair in releasing this IFB intends to award a contract for the “2023 Fairtime Metal Detection Screening Equipment Rental”, beginning Monday, September 18, 2023 through Tuesday, October 3, 2023 for the 2023 Kern County Fair to be held on the grounds of the 15<sup>th</sup> District Agricultural Association:

Wednesday, September 20, through Sunday, October 1

**C. TENTATIVE SCHEDULE**

IFB Released .....	Wednesday, June 28, 2023
Bid Deadline .....	2:00 pm, Wednesday, July 12, 2023
Public Bid Opening .....	2:30 pm, Wednesday, July 12, 2023
Notice of Proposed Award sent and Posted by.....	5:00 pm, Wednesday, July 12, 2023
Contract Award Date .....	5:00 pm, Thursday, July 20, 2023
<b>(No protests may be filed after this time)</b>	
Proposed Contract Commences .....	Monday, September 18, 2023
Proposed Contract Ends .....	Tuesday, October 3, 2023

**D. DELIVERY OF BIDS AND CONTRACTS PERSON FOR INFORMATION**

Pursuant to the law, no bids shall be considered which have not been received at the place, and prior to the closing time, stated in the IFB. Direct questions concerning the technical requirements of the IFB to:

Michael Olcott, Chief Executive Officer (661) 833-4900

The envelope should have the company name on the outside and be addressed as follows:

<b>Company Name</b> <b>Company Address</b> <b>City/State/Zip Code</b>	<b>Postage Stamp</b>
<b>Michael Olcott, Chief Executive Officer</b> <b>KERN COUNTY FAIR – 15<sup>TH</sup> DAA</b> <b>1142 South “P” Street</b> <b>Bakersfield, CA 93307-3950</b>	
<b>RE: Bid Proposal IFB #23-04</b> <b>“2023 Fairtime Metal Detection Screening Equipment Rental”</b>	

## E. INSTRUCTIONS TO BIDDERS

This section details **MANDATORY** format instructions to the bidder. **Please note** that all bids submitted must follow the instructions; all information must be presented in the manner requested; all questions must be answered; and all requested data must be supplied. If the following information (listed below) is not submitted with the *technical proposal*, your bid may be deemed non-responsive and may be rejected.

Each bid must be placed in a sealed envelope and clearly labeled, as stated in D above, in response to the IFB.

The following items and all forms must be submitted, where applicable or mandatory

- One (1) copy completed, dated and signed "Bidder/Contractor Status Form". **MANDATORY.**
- One (1) copy of the attached CA DVBE Bidder Declaration form GSPD-05-105; **MANDATORY.**

The District elects to include the **DVBE incentive** for this IFB.

<b>Confirmed DVBE Participation of:</b>	<b>DVBE Incentive:</b>
5% of Over	5%
4% to 4.99%	Inclusive 4%
3% to 3.99%	Inclusive 3%
2% to 2.99%	Inclusive 2%
1% to 1.99%	Inclusive 1%

**ALL** Bidders must complete and submit the Bidder and Subcontractor Performance Declaration, GSPD-05-105 (Attachment 4) found at:

<https://www.documents.dgs.ca.gov/dgs/fmc/gspd/gspd05-105.pdf>

**IF** Bidder answered "yes" to any question on the GSPD-05-105, Bidder must submit Disabled Veteran Business Enterprise Declarations, DGS PD 843 found at:

[https://www.documents.dgs.ca.gov/dgs/fmc/gspd/pd\\_843.pdf](https://www.documents.dgs.ca.gov/dgs/fmc/gspd/pd_843.pdf)

- One (1) copy of the "Small Business Certification Approval Letter"; this is **MANDATORY IF** the bidder is claiming the 5% Small Business Preference; and

State law allows certified small business (SB) and micro business (MB) firms and non-small businesses who subcontract with a certified SB/MB firm(s) to receive a 5% bidding preference on applicable state solicitations. The effect of the preference is to help SB's/MB's be more competitive in the bid process, thereby enhancing state contract awards directly or indirectly to SB/MB. The preference is only used for computational purposes to determine the winning bidder, not the actual bid amount.

If you are claiming the 5% small business preference and are a SB or MB, or if your application is on file with the Office of Small Business and DVBE Services (OSDS), or if you are claiming the preference as a non-small business subcontracting with certified SB/MB (s), refer to the information below for contact information:

Office of Small Business and Disabled Veteran  
Business Enterprise Certification (OSDC)  
P.O. Box 989052  
West Sacramento, CA 95798-9052

Phone #: (916) 375-4582  
(800) 559-5529

*If you are claiming the 5% small business preference, a copy of your old OSMB Small Business Certification Approval Letter must be submitted with the bid package.*

- One (1) copy of the insurance certificate(s) submitted in accordance with the FE-13, Insurance Statement, and/or paragraph M of this IFB. A signed original Certificate of Insurance shall be submitted to the fair within (5) five days of bid award date. The only exception for submitting a certificate to the fair: if it is on file with F & E and/or CFSA **APPLICABLE**.
- One (1) copy of SIGNED AND DATED letter from Bidder on Bidder's Company Letterhead that states:

"If we are awarded the contract, we will provide original Certificate of Insurance(s) for General Liability, Automobile Liability and Workers' Compensation Insurance, prior to Commencement of the contract issued and no more than (5) five days of bid award date.

Said Insurance Certificate(s) will be issued as required by California Fair's Services Authority in their "Insurance Requirements" document (Revised 6/1/06); **"MANDATORY"**

If current Certificates of Insurance are on file with the State, please submit one (1) copy of Letter – on your Company Letterhead – stating that your company's Certificate of Insurance for General Liability, Automobile Liability, and Workers' Compensation are currently on file with California Fairs Services Authority. **IF APPLICABLE**

- One (1) copy of the "Financial Proposal Bid Form", must be completed, dated, and signed and submitted with all other required bid documents. **MANDATORY**

## **F. WORK STATEMENT AND TERMS AND CONDITIONS**

The Work Statement describes the work to be performed by the bidder who is awarded this contract and the Terms and Conditions which shall be deemed to be incorporated and will become part of any contract awarded pursuant to this IFB. The contract awarded pursuant to this IFB will also contain the Standard Contract Terms and Conditions and will be incorporated and made part of the contract. All terms and conditions are fixed and non-negotiable.

## **G. CONTRACT AWARD**

The contract must be awarded to the lowest *responsive* bidder or all bids must be rejected. The 15th DAA reserves the right to accept any and all of the lowest bid per item requested unless the bidder stipulates that their response is an “all or nothing” offer. If the lowest responsive bidder does not have the necessary quantity, the DAA may also award up to their specified needs in accordance to low bid (if applicable).

Upon selection of a proposed bidder, a “Notice of Award” will be posted, in public view, for *five* (5) working days at the 15<sup>th</sup> DAA’s Administration Office. In addition, a copy of the “Notice of Award” will be emailed to each bidder.

## **H. BREAKING TIES**

In the event that there is a tie, the tie will be broken by a toss of a coin by a DAA designee in the presence of authorized representatives of the tied bidders.

## **I. GROUNDS FOR REJECTION**

1. A bid *shall* be rejected if
  - It is received at any time after the exact date and time set for the receipt of bids as stated in paragraph C.
  - It is not prepared in accordance with the required format or information is not submitted in the format required by this IFB.
  - The firm has submitted multiple bids in response to this IFB without formally withdrawing other bids.
2. A bid *may* be rejected if
  - It contains false or misleading statements for references which do not support an attribute or condition contended by the competitor. (The bid *shall* be rejected if, in the opinion of the 15<sup>th</sup> DAA, such information was intended to erroneously and fallaciously mislead the State in its evaluation of the bid and the attribute, condition or capability of requirement of this IFB.)
  - It is unsigned.
3. All bids *may* be rejected in any case where it is determined that
  - The bids are not really competitive
  - Where the cost is not reasonable, or
  - If it is deemed to be in the best interests of the State.
4. All bids *may* be rejected if the DAA determines, as its sole discretion, that any other reason exists to reject the bid.

**J. RIGHT TO REJECT ANY OR ALL BIDS**

It is the policy of the DAA not to solicit bids unless there is a bona fide intention to award a contract. In the rare case where solicitation is for informational and planning purposes is intended, the document will so indicate. However, without limitation by reason of the foregoing explanation, the DAA reserves the right to reject any or all bids or to cancel the IFB at any time during the process.

**K. PROTESTS (State Administrative Manual, Section 1241 and Public Contract Code, Section 10343)**

A bidder may file a protest against the awarding of the contract. The protest must be filed with the:

Department of General Services  
Attn: Legal Office  
707 Third Street  
West Sacramento, CA 95605

and with the 15<sup>th</sup> DAA. The protest shall be filed prior to the expiration for five (5) working days from the notice of the proposed award being posted and, in no event, later than 5:00 pm on the fifth (5<sup>th</sup>) working day after notice for proposed award being posted in a public place at the 15<sup>th</sup> DAA's Administration Office.

**IN ADDITION**, within five (5) working days after filing the protest, the protesting bidder *shall* file with the 15<sup>th</sup> DAA and DGS Legal Office a fully detailed and complete written statement specifying the grounds for the protest.

**PLEASE NOTE:** *Failure to file (i) notice of the protest by the conclusion of the fifth (5<sup>th</sup>) working day after notice of intention to award a contract has been posted and (ii) a complete detailed written statement within five (5) calendar days of filing the protest stating grounds for protest being deemed untimely and grounds for protest waived.*



#### **M. INSURANCE APPLICABLE or NOT APPLICABLE**

If the bid is accepted for awarding of the contract, the bidder shall provide a Certificate of Insurance **\$1,000.000.00** in commercial general liability coverage, **\$1,000.000.00** in automobile liability insurance, per occurrence for bodily injury and property damage liability combined prior to the time of entering into a contract to be let pursuant to this IFB. In addition.

#### **A Certificate of Insurance showing proof of Workers' Compensation Insurance is required.**

The certificate must also include the following, unless the bidder is on the Division's or CFSA's Master Insurance Certificate list:

- Evidence of authorized insurance for the term of the contract, **including set up and tear-down days,**
- A 30-day cancellation notice,
- The 15<sup>th</sup> DAA's **name and address** shown as the certificate holder, and
- The additional insured language **exactly** as stated below:

"That the State of California, the 15th District Agricultural Association, County Fair, the County in which the County Fair is located, Lessor/Sublessor if fair site is leased/subleased, Citrus Fairs, or California Exposition and State Fair, their directors, officers, agents, servants, and employees, are made additional insured, but only insofar as the operations under this contract are concerned."

Successful Bidder shall provide an **Original Certificate of Insurance** showing proof of General Liability, Automobile Liability and Workers' Compensation coverage **no later than five (5) working days after the bid opening date.**\*

***\*Properly processed RENEWAL INSURANCE DOCUMENTS (Certificate of Insurance) must be submitted at least five (5) days prior to expiration date, in order to show Continuous Insurance Coverage to the 15<sup>th</sup> DAA/Kern County Fair.***

#### **N. DVBE REQUIREMENTS - MANDATORY IF APPLICABLE**

A completed CA Disabled Veteran Business Enterprise Declaration form Std 843 and a completed Department of General Services, Procurement Division form GSPD-05-105 "Bidder Declaration Form" must be included with the bid package.

#### **O. BIDDER/CONTRACTOR STATUS FORM. MANDATORY**

A completed, dated, and signed "Bidder/Contractor Status Form" must be included with the bid package. (Both sides of the "Contractor Status Form" must be completed, and submitted as set forth in Section "E", "Instruction to Bidders".

## FORMS SECTION

### A. FORMS TO BE COMPLETED AND SUBMITTED BY BIDDER

- One (1) copy of the Technical Bid Proposal
- One (1) copy of "Bidder/Contractor Status Form" (both sides); **MANDATORY**
- One (1) copy of the Department of General Services, Procurement Division form GSPD-05-105 "Bidder Declaration"; **MANDATORY IF APPLICABLE**
- One (1) copy of OSDC's (or OSMB) "Small Business Certification Approval Letter"; **(MANDATORY IF CLAIMING SMALL BUSINESS PREFERENCE)**;
- One (1) copy of the CA Disabled Veteran Business Enterprise Declaration Form Std 843; **MANDATORY IF APPLICABLE**
- One (1) copy of Insurance Letter, signed and dated, as set forth in Section "E", Instruction To Bidders; **MANDATORY**
- One (1) copy of "Financial Proposal Bid Form", completed and signed **MANDATORY**

### B. DOCUMENTS TO BE COMPLETED BY DAA

- Notice of Proposed Award, after proposed awardee is determined.

## TERMS AND CONDITIONS

The 15<sup>th</sup> District Agricultural Association/Kern County Fair intends to award a contract for the rental equipment and personnel for Fairtime Metal Detection Screening, as set forth in the Work Statement on page 11.

### A. **TERM OF AGREEMENT:**

The term of this agreement for the "2023 Fairtime Metal Detection Screening Equipment Rental" is from Monday, September 18, 2023 through Tuesday, October 3, 2023, on the grounds of the 15<sup>th</sup> District Agricultural Association/Kern County Fair.

### B. **2023 KERN COUNTY FAIR DATES:**

Wednesday, September 20 through Sunday October 1

### C. **HOURS OF OPERATION:**

Wednesday, September 20 4pm - 11pm  
Thursday, September 21 9am - 12pm, 4pm - 11pm (Special Friends Day)  
Friday, September 22 9am - 11pm (Seniors' Day)  
Saturday, September 23 12pm - 11pm  
Sunday, September 24 12pm - 10pm  
Monday, September 25 4pm - 11pm  
Tuesday, September 26 9am - 12pm, 4pm - 11pm (School Day)  
Wednesday, September 27 4pm - 11pm (Feed The Need Day)  
Thursday, September 28 4pm - 11pm  
Friday, September 29 3pm - 11pm  
Saturday, September 30 12pm - 11pm  
Sunday, October 1 12pm - 10pm

## WORK STATEMENT

The District is soliciting Bids for the Metal Detection Screening Equipment Rental & Service. The Agreement term for these services shall be for September 18 through October 3, 2023.

### A. Purpose and Background

Rental of Metal Detection Screening Equipment including all installation, technical support, servicing and removal for the duration of the annual Kern County Fair.

#### 1. Minimum Qualification Requirements:

- a. Bidder must have successfully provided requested equipment and support for similar entertainment venue(s) with an average daily attendance of 12,000 patrons or more within the last 12 months.
  - b. Bidder must have successfully provided requested equipment and support for similar entertainment venue(s) for a minimum duration of two (2) consecutive weeks.
  - c. Bidder must have a minimum of two (2) years of documented and verifiable experience in providing requested equipment and support, which must include the provisions of such service in the period of 2019-2022.
  - d. Bidder must have a minimum of two (2) satisfactory reference letters from the current CEO's of different county or state fairs on their letterhead, signed and dated within the last year where the bidder had provided equipment and personnel. References may be verified upon awarding the contract.
2. Contractor will provide CEIA Opengate or equivalent Metal Detection Screening Equipment (effective sensitivity to all metals, full compliance with the latest Security Standards) as follows:
- a. Twelve (12) touchless/walk-thru detectors with one (1) hand-held each detectors, with one screening table per unit.
  - b. Six (6) additional hand-held detectors.
  - c. Two (2) staff members on-site from Monday, September 18 through Tuesday, October 3, 2023.
  - d. Training for Fair Security Staff.
3. The Fair will provide one (1) golf cart for accessing and servicing detectors, reimbursement for Hotel Allowance at \$90.00 per day, and any incurred fees (shipping) and travel expenses (airfare and baggage, rental car, fuel).
4. Contractor will work under the direction of the Chief Executive Officer or designee.

**B. Scope of Work**

Contractor to provide all Metal Detection Screening Equipment and materials necessary to perform the required duties, at a contracted rate per item, as indicated herein and on the Financial Proposal Bid Forms. All pricing should include labor, equipment, installation and teardown.

Contractor shall be required to set up in shade structure outdoor areas located near the ticket booths (See Map of Locations).

At teardown, Contractor will patch all holes made in the asphalt by rental equipment. Hole patching will be completed by filling hole(s) with sand or gravel to the top of soil substrate; filling remainder of the hole (depth of existing pavement) with cold patch asphalt and compacting to prevent sinking; and cleaning up all excess material.

All equipment and labor required for setup and teardown shall be provided by Contractor.

Contractor to provide all routine maintenance and repair services for all equipment rented as needed throughout the rental period at no additional cost.

The District shall not be responsible for paying for damage(s) to equipment except if caused directly by the District. "Service fees" shall not be charged to the District for repair service calls for damage caused by either the District and/or Contractor.

Contractor to provide personnel to deliver operational training to District seasonal staff members at the Kern County Fair & Event Center once equipment has been installed and is ready for use. Contractor to coordinate with the District Security Management personnel to establish date & time of training session(s).

Exact equipment needs, install locations and tentative setup schedule will be provided to Contractor. The District reserves the right to change and/or add any equipment, specifications, and setup dates upon reasonable notification to Contractor. However, strict adherence to the schedule for the purposes of this IFB will be implemented.

All equipment must be secured in a safe manner to prevent tipping or lifting due to wind or other influences. Staking may be used where approved by District Management. Base plates, weights, anchors, concrete blocks or other items used to secure equipment must be included in the proposed cost. Contractor will coordinate with District personnel for determining appropriate method to secure equipment and will be held liable for any issues resulting from the unsafe installation of Metal Detection Screening Equipment.

All costs for labor and materials used to deliver, install, maintain and remove the equipment described in this IFB must be included in the rental/installation pricing submitted in Bidder's Financial Proposal Bid Forms, as applicable. Contractor's services include any labor or materials not mentioned, but required to make the installation and removal whole, complete, safe, secure and compliant to all Federal, State, Local governments and OSHA regulations.

**I. FINANCIAL PROPOSAL BID FORM**

Proposed bidders are to return their completed "Financial Proposal Bid Form", in the manner set forth on Page 3 ~ Section "D" "Delivery of Bids", and on Page 4 ~ Section "E", "Instruction to Bidders", in Invitation For Bid #23-04 herein, no later than 2:00 pm, Wednesday, July 12, 2023.

**J. INJURY OR DEFACEMENT OF PROPERTY**

If awarded the contract, Successful Bidder/Contractor shall not injure, mar or in any manner deface the premises, and shall not cause or permit anything to be done whereby the premises shall be in any manner injured, marred, damaged, or defaced.

If awarded the contract, Successful Bidder/Contractor further agrees if the premises are damaged by the act, accident, default or negligence of Successful Bidder/Contractor or Bidder's/Contractor's agents, sub-contractors, employees, members, guests, participants, contestants, contenders, or Association's employees acting on behalf of Successful Bidder/Contractor, said Bidder/Contractor shall be held financial responsible to repair all damage done to the premises and will pay to the Association upon demand such funds as shall be necessary to restore the premises to their original condition. Successful Bidder/Contractor is notified herewith that funds for such estimated repairs shall be withheld by Association from monies due said Bidder/Contractor until such repairs are completed and property is restored. The "premises" include all facilities, equipment, buildings, grandstands, and all other personal property and real property of the 15<sup>th</sup> District Agricultural Association/Kern County Fair.

**METHOD OF PAYMENT**

Payment for services rendered will be paid in one payment, upon satisfactory completion of the terms and conditions of this Invitation For Bid #23-04, and Standard Agreement thereof, which includes the rental and personnel for the Fairtime Metal Detection Screening Equipment.

If Successful Bidder/Contractor damages State property, any payment due Successful Bidder/Contractor will be held back pending satisfactory completion of repair and restoration of State property to its original condition or better, as determined by Fair Management.

**BIDDER/CONTRACTOR STATUS FORM**  
**Page 1 of 2**

Contractor's Name \_\_\_\_\_ County \_\_\_\_\_  
(full business name)

Address \_\_\_\_\_ Federal Employer ID# \_\_\_\_\_

City \_\_\_\_\_ Zip Code \_\_\_\_\_  
(principal place of business)

**STATUS OF CONTRACTOR PROPOSING TO DO BUSINESS (PLEASE CHECK ONE)**

\_\_\_\_ Individual    \_\_\_\_ Limited Partnership    \_\_\_\_ General Partnership    \_\_\_\_ Corporation

**Individual** (Please check one)    \_\_\_\_ Resident    \_\_\_\_ Non-Resident  
If a sole proprietorship, state the true full name of sole proprietor; (i.e., John Roe Smith; not J. Roe Smith or not John R. Smith)

**Partnership** (Please check one)    \_\_\_\_ General Partnership    \_\_\_\_ Limited Partnership

If a partnership, list each partner identifying whether limited partner(s), stating their true full name and their interest in the partnership:

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**Corporation**

Place and date of incorporation: \_\_\_\_\_

If not a California Corporation in good standing, please state the date the corporation was authorized to do business in California:

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**CURRENT OFFICERS:**

President: \_\_\_\_\_ Vice President: \_\_\_\_\_

Secretary: \_\_\_\_\_ Treasurer: \_\_\_\_\_

Other Officers: \_\_\_\_\_

## BIDDER/CONTRACTOR STATUS FORM

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### All must answer:

Are you subject to Federal Backup Withholding? \_\_\_\_ Yes \_\_\_\_ No

**Fictitious Name** \_\_\_\_\_

If contractor is doing business under a fictitious business name and will be performing under the fictitious name, please attach a clearly legible copy of the current fictitious filing.

### Small Business Preference:

Are you claiming preference as a small business in reference to this RFP?  
\_\_\_\_ Yes \_\_\_\_ No

*If yes, the bidder must submit Small Business Certificate.*

Your small business ID number: \_\_\_\_\_

### Pending Litigation or Hearings

Are any civil or criminal litigation or administrative hearings currently pending against the bidder's organization, owners, officers or employees? \_\_\_\_ Yes \_\_\_\_ No

If yes, please state the case number, agency or court where pending and status of litigation or hearing:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**The DAA reserves the right to verify the information provided on this form by the bidder during the RFP process.**

I declare under penalty of perjury that the above information is true and correct and that I am authorized to sign this status form on behalf of the bidder/contractor.

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

***If this status form is not completely filled out, signed and submitted with bidder's response to the RFP, the bid will be rejected as non-responsive.***