



12650 DETROIT AVENUE . 44107 . 216/521-7580

**MANAGEMENT/OPERATION OF
LAKEWOOD FARMERS MARKETS**

RFP NO. 11-002

CITY OF LAKEWOOD
DIVISION OF PURCHASING
12650 DETROIT AVENUE
LAKEWOOD, OHIO 44107
(216) 529-6075

RFP DUE NO LATER THAN 5:00 PM FRIDAY, FEBRUARY 18, 2011



REQUEST FOR PROPOSALS (RFP)

NO. 11-002

**MANAGEMENT / OPERATION OF
LAKEWOOD FARMERS MARKETS**

The City of Lakewood shall accept proposals from qualified vendors for "Management / Operation of Lakewood Farmers Markets."

The Request for Proposals (RFP) are available at Lakewood City Hall, 12650 Detroit Ave., Lakewood, OH 44107 from 8:00 AM to 5:00 PM, Monday through Friday, and on the City's website at www.onelakewood.com.

Deadline for submission of the RFP is **5:00 PM Friday, February 18, 2011**. One (1) original and two (2) copies shall be submitted in a sealed envelope addressed to:

**The City of Lakewood
Division of Purchasing
12650 Detroit Ave.
Lakewood, Ohio 44107**

The envelope must be clearly marked: "RFP No. 11-002 – Management / Operation of Lakewood Farmers Markets."

Kim Smith
Purchasing Manager

Publish Dates: February 4, 2011

DETAILED SPECIFICATIONS REQUEST FOR PROPOSAL

MANAGEMENT/OPERATION OF LAKEWOOD FARMERS MARKETS RFP No. 11-002

Invitation:

The City of Lakewood, OH (City), shall accept sealed proposals from qualified vendors for Management/Operation of the Lakewood Farmers Markets between June and October, 2011, and includes two additional one-year renewal options.

Description:

The City is seeking a Program Manager to manage/operate its Farmers Markets for the 2011 season. The selected individual/organization will run both a weekday and a weekend market for 15-20 weeks during the Ohio growing season.

Program Manager shall secure vendors (approximately 15), provide onsite management at each market, develop a low cost marketing plan and establish a committee to assist with the planning, set up and execution of the market.

Vendors should be local growers and producers providing fresh local food including fruits, vegetables, dairy, meats and eggs, plants, flowers, products of a cottage food production operation as defined by ORC 3715.01 and maple syrup, sorghum or honey. Vendors must carry their own personal and product liability insurance and workers compensation coverage. Every vendor must acquire all necessary licenses and must be in full compliance with all applicable federal, state, county and local health codes.

Program Manager is responsible for ensuring that all provisions of Lakewood Codified Ordinance Chapter 727 (attached) are met.

Location:

There are two potential locations for the Lakewood Farmers Markets. The first location is Kauffman Park Parking Lot located behind the Drug Mart Shopping Plaza, 15412 Detroit Avenue. The second location is the City Center Park and adjacent parking lot, located near the intersection of Detroit Avenue and Warren Road.

Final determination of the location for the markets will be made in collaboration with the Program Manager.

DETAILED SPECIFICATIONS REQUEST FOR PROPOSAL

MANAGEMENT/OPERATION OF LAKEWOOD FARMERS MARKETS RFP No. 11-002

Days and Hours of Operation:

The Program Manager will operate a weekday (preferably Wednesdays) and a weekend (preferably Saturdays) market for 15-20 weeks between June and October. The market will be open for at least 3 hours on each market day but can be open longer at the Program Manger's request.

Marketing/Advertising:

The Program Manger will be responsible for marketing and advertising the weekday and weekend markets.

The City will assist with the markets using its normal communication tools and provide signage for the markets including pole banners.

Inquiries:

Questions and inquiries shall be submitted in writing to Melissa Garrett, Community Relations Specialist, by email to Melissa.Garrett@lakewoodoh.net or faxed to 216-521-1379 no later than 10 AM Friday, February 11, 2011.

Proposal:

Submitted proposal shall outline a complete and comprehensive analysis of the program, including all services to be provided and fees charged. Please provide references you currently service, including detailed description and cost of the services provided, contact name and phone number.

Please submit one original and two (2) copies no later than 5 PM Friday, February 18, 2011 to Lakewood City Hall, Division of Purchasing, and 12650 Detroit Ave., Lakewood, OH 44107. Late proposals will not be considered.

All proposals shall be clearly marked on the outside of sealed envelope "RFP No. 11-002 – Management/Operations of Lakewood Farmers Markets".

**CHAPTER 727
Farmers' Market**

727.01	Definitions.	727.05	Documentation.
727.02	Establishment.	727.06	Regulations established.
727.03	Location.	727.07	Vending restrictions.
727.04	Duration.	727.08	Exclusion from market.

727.01 DEFINITIONS.

(a) "Farmers' Market" means a location where producers congregate to offer one or more of the following food items for sale:

- (1) Fresh unprocessed fruits or vegetables;
- (2) Dairy meat or eggs;
- (3) Products of a cottage food production operation as defined by Ohio R.C. 3715.01;
- (4) Maple syrup, sorghum, or honey that is not potentially hazardous, on the condition that the food is contained in displays, the total space of which equals less than one hundred cubic feet on the premises where the person conducts business at a Farmers' Market.

(b) "Producer," for purposes of this chapter, means a person who raises agricultural products on land owned or leased by themselves.
(Ord. 20-09. Passed 5-4-09.)

727.02 ESTABLISHMENT.

A special event Farmers' Market shall be established for the sale of seasonal produce and related products. Said market shall be open only to producers of their own farm produce, plants, dairy, meat, eggs and products and any other member of the organization that has contracted with the City of Lakewood for the purposes of coordinating a Farmers' Market.
(Ord. 20-09. Passed 5-4-09.)

727.03 LOCATION.

The location of a Farmers' Market shall be subject to the approval of the Director of Public Safety in accordance with the City Charter and all local, state and federal laws.
(Ord. 17-06. Passed 4-3-06.)

727.04 DURATION.

A Farmers' Market may be held weekly from April 1 through October 30 of each calendar year subject to the approval of the Director of Public Safety.
(Ord. 17-06. Passed 4-3-06.)

727.05 DOCUMENTATION.

An organization responsible for coordinating a Farmers' Market shall provide to the Director of Public Safety a list of vendors who will be participating in a Farmers' Market. The list shall contain the name, address and contact number of each producer or other vendor, products to be sold, dates of participation in a Farmers' Market and any other information required by the Director of Public Safety. Along with the above referenced list, the Director of Public Safety must be provided a copy of any required food service licenses or other applicable licenses for each producer or other vendor.

(Ord. 17-06. Passed 4-3-06.)

727.06 REGULATIONS ESTABLISHED.

Rules and regulations governing the operation of and participation in a Farmers' Market shall be established by the Director of Public Safety and shall be provided to vendors participating in a Farmers' Market.

(Ord. 17-06. Passed 4-3-06.)

727.07 VENDING RESTRICTIONS.

(a) It shall be unlawful for any person to display or offer for sale in a Farmers' Market any produce, dairy, meat, or eggs purchased directly or indirectly from any other person or a product not produced upon land either owned or leased by himself.

(b) A Farmers' Market is limited to the sale of food and food products with the exception of plants and flowers. Incidental services may be offered where the vendor is participating as a "producer" as defined in this chapter.

(c) Every vendor must acquire all necessary licenses and must be in full compliance with all applicable federal, state, county and local health codes.

(Ord. 20-09. Passed 5-4-09.)

727.08 EXCLUSION FROM MARKET.

The Director of Public Safety or his or her designee may prohibit the participation of any producer or other vendor if there is an infraction of the City Health Code, if there is any health, safety or welfare issue as determined by the Director of Public Safety or his or her designee, if the vendor is selling products or articles expressly prohibited in this chapter or by regulation, or if the documentation required by this Chapter have not been properly filed with the Director of Public Safety. (Ord. 17-06. Passed 4-3-06.)

Forms and Affidavits

Each proposer shall submit with their proposal (RFP) the following forms and affidavits:

Affidavit of Non-Collusion

Each bidder is required to submit with their bid response an affidavit stating that neither he nor his agents, nor any other party for him has paid or agreed to pay, directly or indirectly, any person, firm or corporation, any money or valuable consideration for assistance in procuring or attempting to procure the contract herein referred to, and further agreeing that no such money or reward will be hereafter paid. This affidavit must be on the form, which is hereto attached & notarized

Ethics Affidavit

Each bidder is required to submit with their bid/proposal a completed Affidavit in Compliance with Section 3517.13 of the Ohio Revised Code. This affidavit must be on the form, which is hereto attached & notarized.

Personal Property Tax Affidavit

After the award of any contract let by the competitive proposal process and prior to the time the contract is entered into, the person making a proposal shall submit to the fiscal officer a statement affirmed under oath that the person with whom the contract is to be made was not charged at the time the proposal was submitted with any delinquent personal property taxes on the general tax list of personnel property of any county in which the taxing district has territory or that such person was charged with delinquent personnel property taxes on any such tax list, in which case the statement shall also set forth the amount of such due and unpaid delinquent taxes and any due and unpaid penalties and interest thereon. If the statement indicates that the taxpayer was charged with any such taxes, a copy of the statement shall be transmitted by the fiscal officer to the county treasurer within thirty days of the date it is submitted.

A copy of the statement shall also be incorporated into the contract and no payment shall be made with respect to any contract to which this section applies unless such statement has been so incorporated as apart thereof.

MacBride Principles Disclosure Form

Each proposer is required to submit with their proposal a completed MacBride Disclosure Form indicating whether or not the proposer is engaged in any business or trading for profit in Northern Ireland.

Insurance

In some cases, the proposer awarded the contract to supply materials, equipment or services will be required to provide an insurance certificate naming the City of Lakewood as an additional insured. Required coverage will be indicated on the "Insurance Requirements Checklist" which is enclosed.

NON-COLLUSION AFFIDAVIT

State of _____,

County of _____, SS

_____ (the "Affiant"), being first duly sworn according to law states:

1. Individual Only: That the Affiant is an individual doing business under the name of _____ in the City of _____, State of _____;

Partnership Only: That the Affiant is the duly authorized representative of a partnership doing business under the name of _____ in the City of _____, State of _____;

Corporation Only: That the Affiant is the duly authorized, qualified and acting _____, a corporation organized and existing under the laws of the State of _____; and that the Affiant of the partnership or corporation referred to above, as applicable, is filing herewith a bid to the City of Lakewood in conformity with the Contract Documents;

2. Individual Only: Affiant further states that the following is a complete and accurate list of the names and addresses of all persons interested in the contract for which the bid is being filed:

Affiant further states that the following attorneys represent Affiant:

Partnership Only: Affiant further states that the following is a complete and accurate list of the names and addresses of the members of the partnership:

Affiant further states that the following attorneys represent the partnership:

3. Corporation Only: Affiant further states that the following is a complete accurate list of the officers, directors and attorneys of the corporation:

President -

Vice President -

Secretary -

Treasurer -

Attorneys -

Directors -

and that the following officers are dully authorized to execute contracts on behalf of the corporation:

4. Affiant further states that the bid filed herewith is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation; that such bid is genuine and not collusive or a sham; that the Bidder has not directly or indirectly, induced or solicited any other Bidder to file a false or sham bid, and has not, directly or indirectly, colluded, conspired, connived, or agreed with any Bidder or anyone else to file a sham bid or to refrain from bidding; that the Bidder has not in any manner directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of the Bidder or of any other Bidder, or to fix any overhead, profit, or cost element of such bid price or that of any other Bidder, or to secure any advantage against the City or anyone interested in the contract for which the bid is filed; that all statements contained in the bid are true; that the Bidder has not directly or indirectly submitted the Bidder's bid price or any breakdown thereof of the contents thereof, or divulged information or data relative thereto, or paid or agreed to pay, directly or indirectly any money, or other valuable consideration for assistance or aid rendered or to be rendered in procuring or attempting to procure the contract above referred to, to any corporation, partnership, company, association, organization, or to any member or agent thereof, or to any other individual, except to such person or persons as herein disclosed to have a partnership or other financial interest with said Bidder; and that the Bidder will not pay or agree to pay, directly or indirectly, any money or other valuable consideration to any corporation, partnership, company, association, organization or to any member or agent thereof, or to any other individual, for aid or assistance in securing the contract above referred to in the event the same is awarded to

(Name of Bidder)

Further Affiant says not.

Affiant

Sworn to before me and subscribed in my presence this ___ day of _____,
20__.

Notary Public

AFFIDAVIT IN COMPLIANCE WITH SECTION 3517.13
OF THE OHIO REVISED CODE

STATE OF OHIO

COUNTY OF _____ SS:

I, the undersigned, after being first duly cautioned and sworn, state the following with respect to compliance with Section 3517.13 of the Ohio Revised Code:

1. I am the representative of and have the authority to make certificates for

_____, which entity may be or has been selected as a
(Name of Entity)
contractor/consultant/vendor for the City of Lakewood.

2. None of the following has **individually** made within the previous twenty four months and, if awarded a contract or contracts for the purchase of goods or services aggregating in excess of \$10,000 in a calendar year, none of the following **individually** will make, beginning on the date of the contract is awarded and extending until one year following the conclusion of the contract, as an individual, one or more campaign contributions totaling in excess of \$1,000, to the Mayor or any City Council member of the City of Lakewood or their individual campaign committees:

- a. myself;
- b. any partner or owner or shareholder of the partnership (if applicable);
- c. any owner of more than 20% of the corporation or business trust (if applicable);
- d. each spouse of any person identified in (a) through (c) of this section;
- e. each child seven years of age to seventeen years of age of any person identified in division (a) through (c) of this section (only applicable to contributions made on or after January 1, 2007).

3. None of the following have **collectively** made since April 4, 2007, and, if awarded a contract or contracts for the purchase of goods or services that aggregate in excess of \$10,000 in a calendar year, none of the following **collectively** will make, beginning on the date of the contract is awarded and extending until one year following the conclusion of the contract, one or more campaign contributions totaling in excess of \$2,000, to the Mayor or any City Council member of the City of Lakewood or their individual campaign committees:

- a. myself;
- b. any partner or owner or shareholder of the partnership (if applicable);
- c. any owner of more than 20% of the corporation or business trust (if applicable);
- d. each spouse of any person identified in (a) through (c) of this section;
- e. each child seven years of age to seventeen years of age of any person identified in divisions (a) through (c) of this section.

Signature: _____

Printed Name: _____

Title: _____

Sworn to before me and subscribed in my presence this _____ day of _____,
20_____.

Notary Public: _____

My Commission Expires: _____

- I. The successful Bidder shall provide a properly executed statement which fulfills the requirements of Section 5719.042 of the Ohio Revised Code which provides as follows:

"After the award by a taxing district of any contract let by competitive bid and prior to the time the contract is entered into, the person making a bid shall submit to the district's fiscal officer a statement affirmed under oath that the person with whom the contract is to be made was not charged at the time the bid was submitted with any delinquent personal property taxes on the general tax list of personal property of any county in which the taxing district has territory or that such person was charged with delinquent personal property taxes on any such tax list, in which case the statement shall also set forth the amount of such due and unpaid delinquent taxes and any due and unpaid penalties and interest thereon. If the statement indicates that the taxpayer was charged with any such taxes, a copy of the statement shall be transmitted by the fiscal officer to the county treasurer within thirty (30) days of the date it is submitted.

A copy of the statement shall also be incorporated into the contract, and no payment shall be made with respect to any contract to which this section applied unless such statement has been so incorporated as a part thereof."

See attached personal property tax statements:

Statement "A"
Bidder not charged with tax delinquency.

Statement "B"
Bidder is charged with tax delinquency.

Either Statement "A" or Statement "B" should be reproduced on the Bidder's letterhead stationary and enclosed with the Bid Form.

[Balance of this page intentionally left blank.]

Statement "A" - Bidder Not Charged with Tax Delinquency

BIDDER'S AFFIDAVIT
PERSONAL PROPERTY TAX DELINQUENCY

Bid No. : _____

Personal Property Tax Certification
Required by Ohio Revised Code
Section 5719.042

Finance Director
City of Lakewood
12650 Detroit Avenue
Lakewood, Ohio 44107

Dear Sir:

Bidder Name

The undersigned hereby certifies that the Bidder to whom contract award is being considered was not charged with any delinquent personal property tax on the general tax list of personal property for any county in the State of Ohio at the time the bid was submitted for the above-referenced contract.

Name: _____

Title: _____

State of _____
County of _____, SS:

SWORN TO before me and subscribed in my presence this _____ day of _____,
20__.

Notary Public

Note: This affidavit is to be reproduced on the Bidder's letterhead and signed by the appropriate signatory before a notary public.

Statement "B" - Bidder Charged with Tax Delinquency

BIDDER'S AFFIDAVIT
PERSONAL PROPERTY TAX DELINQUENCY

Bid No. : _____

Personal Property Tax Certification
Required by Ohio Revised Code
Section 5719.042

Finance Director
City of Lakewood
12650 Detroit Avenue
Lakewood, Ohio 44107

Dear Sir:

Bidder Name

The undersigned hereby certifies that the Bidder to whom contract award is being considered has been charged with a delinquency regarding personal property tax on the general tax list of personal property for at least one county in the State of Ohio at the time the bid was submitted for the above-referenced contract. The amount of the due and unpaid delinquent taxes, including any due and unpaid penalties and interest thereon, is \$ _____. It is understood that this statement is to be signed by the party whose bid has been tentatively accepted, and must be affirmed under oath. If the statement indicates that the taxpayer was charged with any such taxes, a copy of the statement shall be transmitted by the Treasurer to the County Treasurer within thirty days of the date it is submitted. The statement must be incorporated into the contract before any payment can be made under the contract.

Name: _____

Title: _____

State of _____
County of _____, SS:

SWORN TO before me and subscribed in my presence this _____ day of _____,
20__.

Notary Public

Note: This affidavit is to be reproduced on the Bidder's letterhead and signed by the appropriate signatory before a notary public.

**MACBRIDE PRINCIPLES
DISCLOSURE STATEMENT**

PRESCRIBED BY DIRECTOR OF PUBLIC WORKS PURSUANT TO ADMINISTRATIVE CODE SECTION 111.10

INSTRUCTIONS:

The information requested herein must be supplied by all contractors and any subcontractors having more than a fifty percent (50%) interest in the proposed contract prior to any contract being awarded by the City of Lakewood.

Any such contractor or subcontractor who fails to disclose the requested information shall not be eligible to provide any goods or services whatsoever for use by the City in return for payments, fees or commissions from City funds.

Any such contractor or subcontractor who is awarded a contract to supply goods or services for use by the City in return for payments, fees or commissions from City funds, and who is subsequently deemed to have made a false statement shall be declared to have acted in default of its contract and shall be excluded from bidding for the supply of any goods or services for use by the City for a period of two years.

DISCLOSURE

CHECK WHICHEVER IS APPLICABLE:

- () A. The undersigned or any other controlling shareholder¹ subsidiary, or parent corporation of the undersigned is NOT ENGAGED IN ANY BUSINESS OR TRADING FOR PROFIT IN NORTHERN IRELAND. (If this paragraph applies, sign at bottom.
- () B. The undersigned or any controlling shareholder, subsidiary, or parent corporation of the undersigned is ENGAGED IN ANY BUSINESS OR TRADING FOR PROFIT IN NORTHERN IRELAND. (If this paragraph applies, proceed to paragraph "C".)
- () C. The undersigned and all enterprises identified in paragraph "B" are TAKING ALL LAWFUL AND GOOD FAITH STEPS TO ACTIVELY ENGAGE IN THE IMPLEMENTATION OF THE FAIR EMPLOYMENT PRACTICES KNOWN AS THE MACBRIDE PRINCIPLES FOR FAIR EMPLOYMENT IN NORTHERN IRELAND². If requested by the City, the undersigned agrees to supply to the Investor Responsibility Research Center (IRRC), and independent research agency, all data deemed necessary by the IRRC to determine if the undersigned and all said enterprises are engaged in the implementation of the fair employment practices known as the Mac Bride Principles³.

Name of Contractor or Subcontractor

By: _____

Title: _____

¹ "Controlling Shareholder": Any shareholder owning more than fifty percent (50%) of the stock in the corporation, or more than twenty-five (25%) of the stock in the corporation if no other shareholder owns a larger share of the stock in the corporation.

² A copy of the MacBride Principles can be obtained from the Director of Public Works (216) 521-7580.

³ An IIRC report shall provide a factual basis upon which the City may deem the undersigned or an enterprise in compliance with Section 111.10 of the Administrative Code of the City of Lakewood. Investor Responsibility Research Center, Inc., Suite 600, 1755 Massachusetts Ave., Washington, D.C. 20036, (202) 234-7500, Fax (202) 332-8570.

INSURANCE REQUIREMENTS CHECKLIST

Items marked "X" must be provided.

COVERAGE REQUIRED

MINIMUM LIMITS REQUIRED

<p><u> X </u> GENERAL LIABILITY (The following coverage must be included) Premises-Operations Independent Contractors/Subs Broad Form Contractual Broad Form Property Damage Explosion (X)</p>	<p>\$ <u>1,000,000</u> Combined Single Limit Per Occurrence Collapse (C) Underground (U) Personal Injury Products-Completed Operations Fire Legal Liability Employer's liability (Stop Gap)</p>
<p><u> X </u> UMBRELLA LIABILITY</p>	<p>\$ <u>2,000,000</u></p>
<p><u> X </u> AUTOMOBILE LIABILITY Owned, Hired, and Non-Owned Employee Non-Ownership</p>	<p>\$ <u>1,000,000</u> Combined Single Per Occurrence</p>
<p><u> X </u> WORKER'S COMPENSATION <u> X </u> Worker's Compensation coverage in compliance with the laws of the State of Ohio</p>	<p>Statutory</p>
<p><u> X </u> PROFESSIONAL LIABILITY (includes Errors & Omissions)</p>	<p>\$ <u>1,000,000</u></p>
<p>_____ BUILDER'S RISK</p>	<p>_____ 100% Completed Value</p>
<p>_____ INSTALLATION FLOATER</p>	<p>_____ 100% Installed Replacement Value</p>
<p>_____ FLOOD INSURANCE</p>	<p>_____ 100% Completed Value or Maximum of Flood Program</p>
<p>_____ ENVIRONMENTAL IMPAIRMENT LIABILITY</p>	<p>\$ _____</p>
<p>_____ EMPLOYMENT PRACTICES LIABILITY</p>	<p>\$ _____</p>

The certificate of insurance must show the "City of Lakewood" as an additional insured and give sixty- (60) days prior written notice of cancellation, non-renewal, or adverse change to the City of Lakewood.

Statement of Bidder and Insurance Agent

We understand the requirements requested and agree to fully comply.

 Bidder

 Insurance Agency

 Authorized Signature

 Authorized Signature

A completed copy of this form with ORIGINAL signatures must accompany proposal.

BIDDER QUALIFICATION STATEMENT

Must be submitted with Bid. Failure to comply can result in rejection of Bid.

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. If necessary, questions may be answered on separate attached sheets. The Bidder may submit any additional information he desires.

1. Bidder's Name _____
Name of Company

Business Address (Permanent Main Office)

City, State, Zip Code
2. Date Business was organized: _____ / _____ / _____
3. If bidder is a corporation, indicate where business is incorporated:

4. Indicate years engaged in contracting business: _____
5. General character of work performed by your company:

6. Have you ever failed to complete any work awarded to you?

_____ Yes _____ No If yes, indicate where and why:

7. Have you ever defaulted on a contract? _____ Yes _____ No

REFERENCES

GENERAL REFERENCES:

\$ _____
Project Cost

Project Name or Description of Project

Project Owner

Address

City State Zip

Contact Name () Phone Number

\$ _____
Project Cost

Project Name or Description of Project

Project Owner

Address

City State Zip

Contact Name () Phone Number

\$ _____
Project Cost

Project Name or Description of Project

Project Owner

Address

City State Zip

Contact Name () Phone Number

**GOVERNMENT AGENCY REFERENCES:
(State, City, Public Schools, Park Systems)**

\$ _____
Project Cost

Project Name or Description of Project

Project Owner

Address

City State Zip

Contact Name () Phone Number

\$ _____
Project Cost

Project Name or Description of Project

Project Owner

Address

City State Zip

Contact Name () Phone Number

\$ _____
Project Cost

Project Name or Description of Project

Project Owner

Address

City State Zip

Contact Name () Phone Number