



# City of Fountain Valley

Electronic submittal of Request for Proposal

RFP 21-024A

## THE USE OF CITY-OWNED REAL PROPERTY TO DEVELOP, CONSTRUCT, OPERATE AND MAINTAIN ELECTRONIC MESSAGE CENTER BILLBOARD SIGNS(S)

**Questions Deadline:**

4:00 p.m., PST, Thursday, January 13, 2022

**Proposals Due Date:**

4:00 p.m., PST, Thursday, January 27, 2022

**City Contact:**

Amanda McCall, Mgmt. Analyst / Purchasing Officer

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CITY OF FOUNTAIN VALLEY'S ELECTRONIC BIDDING SITE, [PLANETBIDS](#)

**\*Read Upload Instructions\***  
**for important information on the best time to upload proposals**

(Issued January 7, 2022)

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**City of Fountain Valley Request for Proposal for  
the Use of City-Owned Real Property to Develop, Construct, Operate and Maintain  
Electronic Message Billboard Sign**

**SUMMARY**

The City of Fountain Valley is seeking Revised Compensation Proposals from vendors who were notified that they were selected to move forward in the competitive process. All contents of the Original RFP and the Vendors' bids are to remain in effect except for the separately submitted Compensation Proposals. City asks the selected Vendors to reconsider and resubmit their Compensation Proposals.

Re-Submitted Compensation Proposals must be received via PlanetBids no later than **4:00 p.m. Thursday, January 27, 2022 Pacific Standard Time.** The City of Fountain Valley assumes no obligations of any kind for expenses incurred by any respondent to this solicitation.

## I. COMPENSATION PROPOSAL RESUBMITTAL REQUIREMENTS

### A. General Requirements

Inquiries/Questions concerning this request for revised Compensation Proposals should be made before 4:00 p.m., PST, on Thursday, January 13, 2022.

If the Proposer is in doubt as to the meaning or finds discrepancies and/or omissions from any part of the RFP and Agreement Documents, the Proposer must submit a written request for clarification via PlanetBids.

All questions regarding this project shall be submitted electronically in PlanetBids up to the Question and Answer (QA) deadline. All project correspondence will be posted in PlanetBids. It is the responsibility of the Proposers to check the website regularly for information updates, clarifications, and addenda. At the City's discretion, Proposers requests for clarifications may or may not be responded to.

All revisions of the RFP by the City will be made in writing and will be posted on PlanetBids in accordance with the procurement schedule. Proposers shall electronically acknowledge receipt of all addenda at time of submittal and all addenda so issued shall become part of the RFP and the effects of all Addenda shall be considered in the proposal.

RFP Addenda. Proposers shall check the website for addenda prior to proposing and shall be required to electronically acknowledge receipt of all addenda at time of proposal submittal.

### B. Submission of Proposals

Revised Compensation Proposals must be received no later than **4:00 p.m., PST, Thursday, January 27, 2022**.

Proposals shall be received in electronic format EXCLUSIVELY at the City of Fountain Valley's electronic bidding (ebidding) site, at: <https://pbsystem.planetbids.com/portal/25002/portal-home> and are due by the date, and time shown on this solicitation. See "upload instructions" document for details. Files are to be uploaded accordingly:

- Compensation File: Compensation proposal to the City is to be uploaded electronically.

The following instructions describe the form in which proposals must be presented. Proposal documents must be prepared simply, economically, and provide a straightforward, concise response to the requirements of the RFP. Completeness and clarity of content must be emphasized. The requirements stated do not preclude proposers from furnishing additional reports, functions, and costs as deemed appropriate.

### C. Compensation Proposal Content Format

**1. Revenue**

- Please discuss in detail the revenue to be provided to City, including the potential net revenue generated by the digital billboard; the expected monthly and yearly revenue and the percentage of monthly gross revenue that will be provided to the City; and the City’s potential short-term revenue and potential long-term revenue over the course of the contract. Please specify the City’s expected minimum annual guarantee (MAG) of revenue per year.
- If proposing revenue-sharing, include a projection for the amount of revenue to be shared with the City per year and/or a growth factor in years 16-30 so the City may calculate its projected revenue-share.
- Please discuss any one-time revenues to be paid to the City, if applicable.
- The City is requesting each firm to review your original Compensation Proposals ONLY and make any adjustments necessary to both the minimum annual guarantee (MAG) and revenue-sharing terms that would result in the most advantageous benefit to the City.

**II. GENERAL REQUIREMENTS**

**A. DISCLAIMER**

This RFP does not commit the City to award a contract, or to pay any costs incurred in the preparation of the proposal. The City reserves the right to extend the due date for the proposal, to accept or reject any or all proposals received as a result of this request, to negotiate with any qualified Contractor, or to cancel this RFP in part or in its entirety. The City may require the selected Contractor to participate in negotiations and to submit such technical, fee, or other revisions of their proposals as may result from Negotiations.

**III. TENTATIVE SCHEDULE OF EVENTS**

The following is the Schedule of events that the City plans to follow in conducting this solicitation:

<b>Event</b>	<b>Tentative Date</b>
Issuance of RFP	Thursday, January 7, 2022
Clarification Questions Due by	Thursday, January 13, 2022
Due Date for Proposals	Thursday, January 27, 2022
Tentative Selection and City Council Award	March 2022
Begin Project (Tentatively)	Friday, April 1, 2022

**IV. PROPOSAL EVALUATION, INTERVIEWS AND AWARD PROCESS**

**A. Evaluation Criteria**

Award will be based upon the amount of revenue to the City and overall proposed scope of work on City property.

- i. Compensation to City is the most heavily weighted factor in City's review and decision to award a lease. Compensation review will include such factors as reasonableness of revenue; competitiveness with other offers received; adequacy of data in support of figures quoted. Compensation proposed should consider the entire term of the agreement and include market-based adjustments either annually, or as needed to ensure the City's revenue increases with the market and/or inflation. The proposed compensation to the City, e.g. upfront payments, annual payments, type of payment (percentage of gross revenue, including any definitions, other considerations) should be clearly identified.
- ii. Scope of work: to meet the requirements of the specified City Objectives described in the RFP.

#### **B. Evaluation Procedure**

An evaluation committee will be appointed to review all proposals received for this RFP. The committee is chaired by the Purchasing Officer, comprised of City staff and may include outside personnel. At the conclusion of this review process, the evaluation committee will provide a recommendation for award and the proposer being recommended will receive a notice of intent to award pending successful negotiations and contract preparation. Upon successful completion of this process, a recommendation will be made to the City Council, based on the agreement, for their review and consent and unsuccessful firms will be notified.

#### **C. Notification of Awards**

The successful proposer, if one is chosen, will be required to execute a Contract agreement, **See "Draft Lease"**, with the City, which is subject to formal approval by the Fountain Valley City Council. The proposer will also be required to obtain a building permit, all other necessary government permits, and purchase a City Business License annually during the duration of the contract. The successful proposer must also provide proof of insurance as required by the Draft Lease attached hereto.