ANNOUNCEMENT

REQUEST FOR PROPOSALS

Retail opportunity at Spruce Street Harbor Park on the Delaware River Waterfront

Project Overview

The Delaware River Waterfront Corporation (DRWC) is the nonprofit leading the development and programming of the six-mile Central Delaware River Waterfront, with parks like Spruce Street Harbor Park, Blue Cross RiverRink Winterfest and Summerfest and Cherry Street Pier. DRWC is an innovative organization redefining how cities use public space both in Philadelphia and nationally. Spruce Street Harbor Park engages the river in a continued reinvention of summer on the waterfront. The vibrancy and beauty of the site draws thousands of visitors who enjoy the hammocks, floating gardens, beautiful lights, arcade, refreshing craft beer, and food from popular Philly restaurants, making it a summer gathering space for city natives and visitors alike. Current and past vendors and partners include Art Star Craft Bazaar, R5 Flea market, remote control sail boats, Apple Vending Arcade, Federal Donuts, Sbraga Little Fat Ham, HipCityVeg, Chickie's and Pete's, French Toast Bites, Garces Group and Franklin Fountain.

Spruce Street Harbor Park, heralded across national press as one of the best places to visit in Philadelphia, and was embraced by the Philadelphia community as a game changer for the Delaware River Waterfront. The vibrancy and beauty of the site draws half a million visitors who enjoy seasonal food, colorful hammocks, floating gardens, and beautiful lights, making it a gathering space for Philadelphia residents and regional visitors.

Goals/Objectives

DRWC is seeking proposals from individuals, artisans or local businesses to lease space and operate a high quality and unique retail operation on the boardwalk in Spruce Street Harbor Park. The experience or concept offering should reflect the vision and values of the Spruce Street Harbor Park. Although the current container was previously a retail restaurant/food service location, DRWC will consider a wide range of creative responses that enhance and compliment the visitor experience at SHHP. This includes merchandise, memorabilia, retail shop, artistic, makers, food or beverage.

- Provide a vibrant and collaborative home for Philadelphia entrepreneurs
- Facilitate civic engagement and community building
- Act as a universally accessible public space
- Serve as a model for community partners and public space providers
- Be authentically Philadelphian

Therefore, RFP submissions should reflect how the vendor will:

- Provide a concept with a distinctive experience that will cater to local residents and visitors.
- Draw new and diverse audiences to the Delaware River Waterfront. Foster collaboration with local artists, local businesses or local vendors.
- Participate in and help to create an experience that is indicative of the local Philadelphia food, arts or cultural scene.

Requirements

DRWC hopes to celebrate the creativity, expertise and diversity of Philadelphia by offering and showcasing unique local talent, items or businesses. The organization is seeking responses from companies or individuals with a solid background in business to oversee operations, including any local licensing, and related agency interface.

Preference is given for proposals with concepts that emphasize quality products offered in an attractive, appealing manner that highlights Philadelphia.

Applicants should be self-sufficient and are responsible for submitting and maintaining all permits required by Applicable Law to operate a location, and any fees associated with them.

Supply any necessary equipment to prepare, and sell their concepts or product that is unique to their products, maintain a sufficient inventory to meet expected demands for products.

Staffing of their service location including hiring, training, supervising and discipline.

DRWC will provide an approximately 8’ x 40’ x 7’ area inside a repurposed/decommissioned shipping container on the Spruce Street Harbor Park boardwalk esplanade. DRWC can provide some power access, limited storage, and trash removal. The container is currently outfitted with a hood ventilation system on each end of the container, which could be modified if unneeded.

Applicant must apply for and adhere to all City of Philadelphia procedures and regulations applicable to the operation.

Timeline

Request Released on 04/09/2021

Proposals due by 04/23/2021

Question(s) period ends 7 days after release of this RFP. Public posting of question(s) asked will be within 2 days.

Proposal to be selected in early May 2021.

Program to Commence Summer 2021, as early as Memorial Day Weekend through September 26, 2021

Submittal Requirements

When submitting the proposal please include the following information:

Concept

1. Menu or item list: Include a copy of the proposed offerings and pricing.
   Indicate items that will likely integrate locally sourced supplies and partnerships.
2. Marketing: Describe a marketing plan that highlights how you will maximize patronage and measure results.
3. Include one example in which you collaborated with another local artisan.

Proposer Background

1. The number of years in business
2. Experience in seasonal/event vending operations
3. Gross annual sales at your current operations or proposed proforma
4. Photographs or graphics of other managed/operated/owned locations that demonstrate the uniformity and quality of operations, including staff uniforms, equipment, signage, etc.
5. List 4 references
6. Profile and Company history
7. Minority Women Enterprise / Minority Business Enterprise Participation if applicable
8. Confirm that you are not currently indebted to the City of Philadelphia for or on account of any taxes (including, but not limited to, taxes collected by City on behalf of the School District of Philadelphia), liens, judgments, fees or other debts for which no written agreement of payment plan satisfactory to City has been established.

Proposed Base Rent, Desired Lease Term and Tenant Improvements

1. In consideration for the applicant to operate a location at the facility, applicant shall pay DRWC fee on gross sales, at a to-be-determined percentage.
2. DRWC is looking for a summer season lease term. Approximately 4.5 months. Mid to late May 2021 through September 2021. DRWC must approve all operational hours.
3. Provide a list of necessary equipment for the proposed operation.

Proposals should be sent to David Moore, Director of Parks and Attractions, Delaware River Waterfront Corporation by April 23, 2021 at 5:00 P.M. EST. Large files can be sent via Dropbox to dmoore@drwc.org

Selection Process

DRWC Staff will serve as a vetting committee. DRWC will consider how each application aligns with the mission of the organization of Spruce Street Harbor Park. In addition, the organization will be reviewing the completeness, clarity, focus, conciseness and accuracy of the proposals. It will also consider the relevance of experience, resources, references, quality and diversity of expertise and any additional information provided as well as fees.

After review of the written proposals, DRWC may invite some applicants to make an oral presentation to the DRWC staff.

The staff of DRWC will finalize the scope of work and execute a contract, in a form satisfactory to the DRWC. DRWC reserves the right to reject any or all proposals received in response to this request.

DRWC encourages the response and inclusion of Minority Business Enterprises ("MBE"), Woman Business Enterprises ("WBE"), and Disabled Business Enterprises ("DSBE") (collectively, "M/W/DSBE") in its contracts. The goal of DRWC is to ensure that all businesses desiring to do business with DRWC have an equal opportunity to compete by creating access to DRWC's contract opportunities by M/W/DSBEs and meaningfully increasing opportunities for the participation by M/W/DSBEs in DRWC's contracts at all tiers of contracting.

Respondents to this RFP should provide a description of any efforts it has made within its company and proposal which will help DRWC achieve these goals. These efforts may include, but are not limited to the following: 1) a description of respondents written diversity program identifying the race, gender and ethnic composition of its board of directors; 2) its employment profile; 3) a list of all M/W/DSBE vendors that the respondent does business with and a statement of the geographic area(s) where its services are most concentrated; and 4) a description of respondents efforts to maintain a diverse workforce, to maintain a diverse board of directors or administer a fair and effective M/W/DSBE contracting process.

RESERVATION OF RIGHTS AND SELECTION CRITERIA

Reservation of Rights

The DRWC reserves and in its sole discretion may, but shall not be required to, exercise the following rights and options with respect to the proposal submission, evaluation and selection process under this RFP:

(a) To reject any proposals if, in the DRWC's sole discretion, the proposal is incomplete, the proposal is not responsive to the requirements of this RFP, the respondent does not meet the qualifications set forth in the RFP, or it is otherwise in the DRWC's best interest to do so;
(b) To supplement, amend, substitute or otherwise modify this RFP at any time prior to selection of one or more respondents for negotiation and to cancel this RFP with or without issuing another RFP;
(c) To accept or reject any or all of the items in any proposal and award the contract(s) in whole or in part if it is deemed in the DRWC's best interest to do so;
(d) To reject the proposal of any respondent that, in the DRWC's sole judgment, has been delinquent or unfaithful in the performance of any contract with the DRWC or with others, is financially or technically incapable or is otherwise not a responsible respondent;
(e) To reject as informal, non-responsive, or otherwise non-compliant with the requirements of this RFP any proposal which, in the DRWC's sole judgment, is incomplete, is not in conformity with applicable law, is conditioned in any way that is unacceptable to the DRWC, deviates from this RFP and its requirements, contains erasures, ambiguities, or alterations, or proposes or requires items of work not called for by this RFP;
(f) To waive any informality, defect, non-responsiveness and/or deviation from this RFP and its requirements that is not, in the DRWC's sole judgment, material to the proposal;

(g) To permit or reject at the DRWC's sole discretion, amendments (including information inadvertently omitted), modifications, alterations and/or corrections of proposals by some or all of the respondents following proposal submission;
(h) To request that some or all of the respondents modify proposals based upon the DRWC's review and evaluation;
(i) To request additional or clarifying information or more detailed information from any respondent at any time, before or after proposal submission, including information inadvertently omitted by the respondent;
(j) To inspect and otherwise investigate projects performed by the respondent, whether or not referenced in the proposal, with or without the consent of or notice to the respondent;
(k) To conduct such investigations with respect to the financial, technical, and other qualifications of each respondent as the DRWC, in its sole discretion, deems necessary or appropriate; and
(l) To waive and/or amend any of the factors identified in the RFP as pertaining to the respondent's qualifications.

Contract Negotiation and Award

The DRWC reserves and in its sole discretion may, but shall not be required to, exercise the following rights and options with respect to the contract negotiation and award process resulting from this RFP:

The DRWC reserves the right to enter into post-submission negotiations and discussions with any one or more respondents regarding price, scope of services, and/or any other term of their proposals, and such other contractual terms as the DRWC may require, at any time prior to execution of a final contract. The DRWC may, at its sole election, enter into simultaneous, competitive negotiations with multiple respondents or negotiate with individual respondents seriatim. Negotiations with respondents may result in the enlargement or reduction of the scope of services, or changes in other terms that are material to the RFP and the submitted proposals. In such event, the DRWC shall not be obligated to inform other respondents of the changes, or to permit them to revise their proposals in light thereof, unless the DRWC, in its sole discretion, determines that doing so is in the DRWC's best interest.

In the event negotiations with any respondent(s) are not satisfactory to the DRWC, the DRWC reserves the right to discontinue such negotiations at any time; to enter into or continue negotiations with other respondents; to enter into negotiations with firms that did not respond to this RFP and/or to solicit new proposals from firms that did not respond to this RFP, including but not limited to negotiations or proposals for components of the System, if any, that are deleted by the DRWC from the successful proposal or the contract resulting from it. The DRWC reserves the right not to enter into any contract with any respondent, with or without re-issue of the RFP, if the DRWC determines that such is in the DRWC's best interest.

Proposal Evaluation

Proposals that the DRWC determines, in its sole discretion, are responsive to the RFP will be reviewed by a selection committee designated by the DRWC. The DRWC, in its sole discretion, may require any respondent to make one or more presentations of its proposal to the selection committee, in DRWC offices, at no cost to the DRWC, addressing its ability to satisfy the requirements of this RFP. The DRWC shall not be required, however, to permit any respondent to make such a demonstration.

The contract will be awarded to the respondent whose proposal the DRWC determines, in its sole discretion, is the most advantageous to the DRWC and in the DRWC's best interest.

The DRWC, in its sole discretion, may, but shall not be required to, reject without further consideration the proposal of any respondent that has not demonstrated, in the DRWC's sole judgment, that it satisfies the qualifications criteria provided in the RFP. The DRWC reserves the right, in its sole discretion and without notice to respondents, to modify this evaluation procedure as it may deem to be in the DRWC's interest.

Evaluation factors to be considered by the DRWC include, but are not limited to, the following (no particular order of importance, weighting, or other priority is assigned to these factors or reflected by their order in the list):

(a) Project understanding and soundness of proposed project methodology, including but not limited to the detail and accuracy of the proposed scope and statement of work and implementation plan;
(b) The respondent's financial and technical qualifications to perform the work required by the RFP, as presented in its proposal and determined by any other investigations conducted or information obtained by the DRWC;
(c) References provided by the respondent, particularly from projects of similar complexity and scope;
(d) Commitment and ability to complete the project within the time frame specified in the Proposal;
(e) Superior ability or capacity to meet particular requirements of contract and needs of the DRWC and those it serves
(f) Superior prior experience of Applicant and staff
(g) Superior quality, efficiency and fitness of proposed solution for the DRWC
(h) Superior skill and reputation, including timeliness and demonstrable results
(i) Special benefit to continuing services of incumbent, such as operational difficulties with transition or needs of population being served
(j) Administrative and operational efficiency, requiring less DRWC oversight and administration
(k) Anticipated long-term effectiveness
(l) Meets qualification/prequalification requirements as set forth in this RFP
(m) inclusion of M/W/DSBE participation as prime contractors, subcontractors, joint venture partners and employees in respondent's proposal;
(n) Any other factors the DRWC considers relevant to the evaluation of the proposal.

Appendix -A

Confidentiality and Public Disclosure

The successful applicant shall treat all information obtained from DRWC which is not generally available to the public as confidential and proprietary to DRWC. The successful applicant shall exercise all reasonable precautions to prevent any information derived from such sources from being disclosed to any other person. The successful applicant agrees to indemnify and hold harmless DRWC, their officials and employees, from and against all liability, demands, claims, suits, losses, damages, causes of action, fines and judgments (including attorney's fees) resulting from any use or disclosure of such confidential and/or proprietary information by the successful applicant or any person acquiring such information, directly or indirectly, from the successful applicant or through this RFP process.

By submission of a proposal, applicants acknowledge and agree that DRWC is subject to state and local disclosure laws and, as such, are legally obligated to disclose public documents, including proposals, to the extent required thereunder. Without limiting the foregoing sentence, DRWC's legal obligations shall not be limited or expanded in any way by an applicant's assertion of confidentiality and/or proprietary data.

Prime Provider/Contractor Responsibility

The selected applicant will be required to assume responsibility for all services described in their proposals whether or not they provide the services directly. DRWC will consider the selected applicant as the sole point of contact with regard to contractual matters.

Disclosure of Proposal Contents

Subject to the public disclosure requirements stated above, cost and price information provided in proposals will be held in confidence and will not be revealed or discussed with competitors. All material submitted as part of the RFP process becomes the property of DRWC and will only be returned at DRWC's option. Proposals submitted to DRWC may be reviewed and evaluated by any person other than competing vendors. DRWC retains the right to use any/all ideas presented in any reply to this RFP. Selection or rejection of a proposal does not affect this right.

Non-Discrimination

The successful vendor, as a condition of accepting and executing a contract with DRWC through this RFP, agree to comply with all relevant sections of the Civil Rights Act of 1964, the Pennsylvania Human Relations Act, Section 504 of the Federal Rehabilitation Act of 1973, and the Americans with Disabilities Act, hereby assuring that:

The provider agency does not and will not discriminate against any person because of race, color, religious creed, ancestry, national origin, age, sex, sexual orientation, handicap or disability in providing services, programs or employment or in its relationship with other provider contractors.

Miscellaneous

DRWC reaffirm their right to make any selection it deems prudent, and responding firms or individual participants acknowledge through their participation that such selection is not subject to protest or contest.

The successful applicant selected will perform a variety of duties as agreed upon in the final negotiated contract. The selected applicant and DRWC will finalize the contract terms and conditions. If DRWC and the selected applicant are unable to agree on terms and conditions, DRWC may exercise its right to negotiate with other eligible vendors.