



City of South Padre Island, Texas Request for Holiday Pyrotechnic Display

PART I GENERAL INFORMATION

PURPOSE:

The City of South Padre Island, Texas is seeking proposals to provide a pyrotechnic displays from the Laguna Madre Bay behind Louie's Backyard on or around the Memorial Day, Fourth of July and Labor Day holidays. The initial contract period will begin May 1, 2015, and end April 30, 2016. At the City's option, the contract may be renewed for three (3) additional one year periods.

This Request for Proposals (RFP) is designed to present interested firms with the description of the City's current investment policy, the services we require, and a format for responding to our request.

BACKGROUND:

For the past approximate twenty years, the City of South Padre Island has been providing Fireworks Displays from the Laguna Madre Bay in proximity to the City's Entertainment District; Laguna Boulevard between Palm Street and Amberjack Street.

We are, therefore, seeking a pyrotechnic company with the experience and resources to perform these fireworks presentation

CITY PROFILE:

The City of South Padre Island is a unique, friendly seaside resort community that values its residents and tourists, preserves and protects the natural environment, and provides for quality sustainable growth and development that is highly diverse and responsive to changing economic conditions. The City is located on a 34-mile long sub-tropical Island, in Cameron County, on the Gulf Coast of Texas, 25 miles north of the Mexican Border. The island is a half-mile wide at its widest point and only the island's southernmost 5 miles are developed. The City was incorporated in 1973 and is linked to the Texas mainland by Texas' longest bridge. The 2.5 mile long, four-lane divided, toll-free Queen Isabella Causeway was completed in 1974. The City operates as a home rule law municipality pursuant to the laws of the State of Texas.

Tourism is the principal industry in the City, with an estimated 5.1 million visitors coming to the island annually. Water resources have been the dominant factor in the development of the City. The Gulf provides approximately 23 miles of beach front in Cameron County, approximately 5 miles of which is situated in the City. As noted, the island has become popular for vacationers and retirees. The Gulf also provides a means for shipping cargo, for fishing interests (both commercial and sporting) and for boating. The body of water between Padre Island and the mainland is the Laguna Madre, providing bay front property for development. The inter-coastal waterway located in the Laguna Madre is maintained by the US Army Corps of Engineers as a water route for shipping.

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1



City of South Padre Island, Texas

Request for Holiday Pyrotechnic Display

As part of the Tourist experience on South Padre Island, the City works to provide a number of activities on the Island to benefit residents, local and regional tourists. One of those activities is a series of fireworks displays that occur during the summer holidays for over twenty years and continue to be a highlight of the summer season.

DEFINITIONS:

The following definitions shall be used for identified terms throughout the specification and proposal document:

- Agreement – a mutually binding legal document obligating the Contractor to furnish the goods, equipment or services, and obligating the City to pay for it.
- City – identifies the City of South Padre Island, Cameron County, Texas.
- Contractor – a person or business enterprise providing goods, equipment, labor and/or services to the City as fulfillment of obligations arising from a contract or purchase order.
- Deliverables – the goods, products, materials, and/or services to be provided to the City by vendor if awarded agreement.
- Goods - represent materials, supplies, commodities and equipment.
- Proposal – complete, properly signed response to a Solicitation that if accepted, would bind the Proposer to perform the resulting agreement.
- Proposer - identified throughout this specification shall describe persons and entities that consider themselves qualified to provide the goods, equipment or services.
- Services – work performed to meet a demand. The furnishing of labor, time, or effort by the vendor and their ability to comply with promised delivery dates, specifications, and technical assistance specified.
- Subcontractor - any person or business enterprise providing goods, equipment, labor, and/or services to a Contractor if such goods, equipment, labor, and/or services are procured or used in fulfillment of the Contractor’s obligations arising from a contract with the City.
- Vendor (sometimes referred to as Contractor) – a person or business enterprise providing goods, equipment, labor and/or services to the City as fulfillment of obligations arising from an agreement or purchase order.

CONFLICT OF INTEREST:

Effective March 1, 2006, chapter 176 of the Texas Local Government Code (House Bill 914) requires that any vendor or person considering doing business with a local government entity disclose the vendor or person’s affiliation or business relationship that might cause a conflict

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2



City of South Padre Island, Texas Request for Holiday Pyrotechnic Display

of interest with a local government entity. The Conflict of Interest Questionnaire form is available from the Texas Ethics Commission at www.ethics.state.tx.us. Completed conflict of Interest Questionnaires may be mailed or delivered by hand to the City Secretary. If mailing a completed form, please mail to:

**City of South Padre Island, Texas
Susan Hill - City Secretary
4601 Padre Blvd.
South Padre Island, Texas 78597**

Any attempt to intentionally or unintentionally conceal or obfuscate a conflict of interest may automatically result in the disqualification of the vendor's Proposal.

CLARIFICATION:

For clarification of specifications, proposers may contact:

**William A. DiLibero
City Manager
City of South Padre Island
Telephone: 956-761-8108
wdilibero@myspi.org**

or

**Rodrigo Gimenez
Finance Director
City of South Padre Island
Telephone: 956-761-8130
rgimenez@myspi.org**

The individuals listed above may be contacted by telephone or visited for clarification of the specifications only. No authority is intended or implied that specifications may be amended or alterations accepted prior to proposal opening without written approval of the City of South Padre Island through the City Manager's office.



City of South Padre Island, Texas Request for Holiday Pyrotechnic Display

PART II PROPOSAL INSTRUCTIONS

PROPOSAL SCHEDULE:

It is the City's intent to comply with the following timeline:

- Request for Proposals released March 8, 2015
- Sealed responses to the RFP due by **1:00 p.m. March 20, 2015**

NOTE: These dates represent a tentative schedule of events. The City reserves the right to modify these dates at any time, with appropriate notice to known Proposers.

PROPOSAL DUE DATE:

Sealed Proposals are due no later than **1:00 p.m. on March 20, 2015**, to the City of South Padre Island.

**City of South Padre Island, Texas
Attn: Susan Hill
City Secretary
4601 Padre Blvd.
South Padre Island, Texas 78597**

Proposals received after this time and date will not be considered.
Sealed Proposals shall be clearly marked **"DO NOT OPEN – Pyrotechnic Services"**.
Facsimile or electronically transmitted Proposals are **not acceptable**.
Each Proposal shall contain two (2) bound originals and one (1) copy.

Results of the submitted Proposals will be available after the City Council selects the successful Contractor.

PART III PROPOSAL FORMAT:

It is intended that this RFP describe the requirements and Proposal format in sufficient detail to secure comparable Proposals. Interested and qualified firms shall:

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City of South Padre Island, Texas

Request for Holiday Pyrotechnic Display

- Submit two (2) bound originals and one (1) copy of materials that demonstrate the Proposer's ability to meet City requirements as specified in this Request for Proposals.
- Responding firms shall submit Proposals in the following format and sequence:

Organization:

- Describe the organization, date founded, ownership of your company, as well as any subsidiaries and affiliates relevant to the City.
- Describe the experience of the company in providing fireworks displays for municipalities and other public entities, including range and average dollar amount of municipal funds spent on fireworks displays.

Personnel:

- Identify the key personnel of your staff committed to the City's fireworks display and their credentials.

Presentation:

- Presentation shall be a minimum of ten minutes in length and a maximum of thirty minutes in length
- Presentation shall be choreographed with a musical score playing as background to the fireworks display.
- The fireworks display shall take place from a minimum of one barge located in the Laguna Madre Bay in proximity to the City's Entertainment District (between Palm and Amberjack streets).

Fees:

- Provide Base rate for each fireworks display.
- Provide total fee for the three fireworks display.
- The Fee shall be inclusive of all costs associated with the Fireworks display.
- The City reserves the right to clarify and/or negotiate fees prior to contract approval.

Other Information:

- Describe the firm's experience in presenting fireworks and pyrotechnical displays in Texas and other metropolitan areas.
- Provide detailed information on the Company submitting the Proposal that includes: Name of Company; history of operation; officers' names, addresses and contact information; State and year of Incorporation; and, any additional information.

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5



City of South Padre Island, Texas

Request for Holiday Pyrotechnic Display

- Provide a list of references with address, phone and email associated with each community listed above.
- Provide a copy of the Company's BATFE Distributors or Importers license.
- Provide location and approval of ATF Storage facility for local storage of fireworks.
- Provide a State of Texas Distributor or Importers License.
- Provide name and copy of CDL/Hazmat license of Driver associated with the fireworks displays.
- Provide all applicable licenses and approvals required for safe transport of fireworks; including DOT and FMCSA.
- Provide documentation of all necessary insurance; including General Liability of \$5 million per occurrence; Products and Completed Operations Liability Insurance; Insurance covering marine operations and Worker's Compensation meeting Texas Statutory requirement.
- Proof of access to a minimum of one thirty –foot by sixty-foot (30' x 60') barge for use in discharging fireworks charges. Proof of ownership or contract for available dates must be provided with proposal.

Standard Agreement:

- Agreement Term shall reflect an initial contract period to begin May 1, 2015 ending April 30, 2016 with an option for three (3) one-year renewals upon City Council approval.
- A Responder may withdraw their Proposal by submitting a written request for its withdrawal by the signature of an authorized individual to the Purchasing Agent any time prior to the submission deadline. The prospective Responder may thereafter offer a new Proposal prior to the deadline. Modifications offered in any manner will not be considered if submitted after the deadline.

CLARIFICATION OF PROPOSAL:

The City, in its sole discretion, expressly reserves the right to request and/or require any additional information from the Proposer(s) that it may deem relevant with respect to this RFP. The contents of the Proposal and any clarification or counter-Proposal thereto submitted by the successful vendor shall become part of the contractual obligation and incorporated by reference into the ensuing contract.

BEST VALUE EVALUATION:

All proposals received shall be evaluated based on the best value for the City. Best value shall be determined by considering all or part of the criteria listed below, as well as any relevant criteria specifically listed in the solicitation.



City of South Padre Island, Texas

Request for Holiday Pyrotechnic Display

- Proposal price;
- Reputation of the Proposer and of Proposer's goods and services;
- The quality of the Proposer's goods or services;
- The extent to which the goods or services meet the City's needs;
- Proposer's past relationship with the City. All vendors shall be evaluated on their past performance and prior dealings with the City or other clients to include, but not limited to, failure to meet specifications, poor quality, poor workmanship, and late delivery.

EVALUATION PROCESS:

- A committee comprised of City Staff and others as appropriate will review the Proposals and may develop a short list of firms.
- Interviews and/or demonstrations may be conducted with any responding firms/teams to discuss their qualifications, resources, and availability to provide the services requested.
- The City will not provide compensation or defray any cost incurred by any firm related to the Proposal or this request.
- The City reserves the right to request additional information or to meet with representatives from proposing organizations to discuss points in the proposal after submission, any and all of which may be used in forming a recommendation.
- The City reserves the right to negotiate with any and all persons or firms. The City also reserves the right to reject any or all Proposals, or to accept any Proposal deemed most advantageous, or to waive any irregularities or informalities in the Proposal received, and to revise the process and/or schedule as circumstances require.

AGREEMENT:

The term of this Agreement shall be for a twelve (12) month period of time from the date of award. Prices shall be firm for the duration of the Agreement. This Agreement may be renewed for three (3) additional periods of time not to exceed twelve months for each renewal provided both parties agree.

CANCELLATION:

Either party reserves the right to cancel the Agreement without penalty by providing 30 days prior written notice to the other party. Termination under this paragraph shall not relieve the Contractor of any obligation or liability that has occurred prior to cancellation.

NOTE: This Agreement is subject to cancellation, without penalty, at any time the City deems the vendor to be non-compliant with contractual obligations.

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7



City of South Padre Island, Texas Request for Holiday Pyrotechnic Display

PART IV INVOICING AND PAYMENT

INVOICING: Contractor shall submit one original and one copy of each invoice following each fireworks display to the following address:

**City of South Padre Island, Texas
Accounts Payable
4601 Padre Blvd.
South Padre Island, Texas 78597**

PROMPT PAYMENT POLICY: Payments shall be made within thirty days after the City receives the supplies, materials, equipment, or the day on which the performance of services was completed or the day on which the City receives a correct invoice for the supplies, materials, equipment or services, whichever is later.

The Contractor may charge a late fee (fee shall not be greater than that which is permitted by Texas law) for payments not made in accordance with this prompt payment policy; however, this policy does not apply to payments made by the City in the event:

- There is a bona fide dispute between the City and Contractor concerning the supplies, materials, services or equipment delivered or the services performed that causes the payment to be late; or
- The terms of a federal agreement, grant, regulation, or statute prevent the City from making a timely payment with Federal Funds; or
- There is a bona fide dispute between the Contractor and a subcontractor or between a subcontractor and its suppliers concerning supplies, material, or equipment delivered or the services performed which caused the payment to be late; or
- The invoice is not mailed to the City in strict accordance with instructions, if any, on the purchase order or agreement or other such contractual agreement.