



August 26, 2024

To: All Potential Bidders
From: Kelly Vu, Business Services Supervisor
Re: RFI #1, Q & A, RFP # TR-09-24

This RFI (Request for Information) aims to transmit "Questions and Answers" regarding the technical components of the RFP Event Tenting & Furniture Rental Services. All terms and conditions of the original RFP notice remain unchanged.

Questions and Answers

Questions:

1. Could a line item be added to the Financial Proposal Bid Form for Heavy Equipment?

Answer: Heavy equipment should be included in the bid pricing with all necessary equipment. No additional line item is needed.

2. Could a line item be added to the Financial Proposal Bid Form for Delivery/Pickup Charges?

Answer: Labor and delivery should be included in the bid pricing with all equipment. No additional line item is needed.

3. Could a line item be added to the Financial Proposal Bid Form for Engineering?

Answer: Yes, Since the same engineering documents will be used for the duration of this contract, it would be best to create a line item for each size clear span structure listed in this contract. See revised Financial Proposal Bid For

4. In the Live Stock Area, one of the Structures look to be on Extension Legs. What size was that structure and what size extension legs was it on?

Answer: We are not aware of extension legs. The structure sizes in livestock are a 100' x 100' and 120' x 120'.

5. Since some of the tents are staked and some are not, Could an area be added to the Bid Form for Concrete Blocks? Could it include the different sizes of concrete?

Answer: Yes. We can add this to our financial bid form.

6. On the Bid Form there is Shade Cloth. What is that being used for? Is it something that would be used as overhead shade? Can a picture of it be sent?

Answer: The shade cloth or mesh is a 70% breathable vinyl that we may use as tent side walls or as a top to allow airflow and a little sunlight.

7. For the Flat Top Tent/Canopy listed, are you referring to the style that would be put on Truss? Or is it a regular style canopy frame just flat on top?

Answer: Flat top tent would be a regular-style canopy frame just flat on top.

8. During the walk through there was talk about truss, but there is no listing for truss on the Bid Form. Does that need to be added?

Answer: No trussing is needed for this scope of work in this RFP.

9. During the walk through there was talk about Banner Poles needed for the tents. Can a line item be added on for that in the Bid Form?

Answer: Yes, we will add a line item to the financial bid form to include banner poles based on a square foot cost.

10. Will the Fire Extinguishers, No Smoking Signs and Exit Sign be needed? If so, could a line item be added to the Bid Form?

Answer: Yes they will be needed. We will add a line item for each on the financial bid form.

11. *Our legal team reviewed the contract and had some questions around certain language and would like to gain some feedback on the language in the areas listed here. We have made a few additions to their language in RED which we would like to know if these would be accepted as a part of our bid, as well as highlighted a few items of clarification/questions*

- a. **AUDIT:** *Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees, with reasonable notice which shall not be withheld or delayed, to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).*
- b. **INDEMNIFICATION:** *Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all third party claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other*

person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the negligence acts of Contractor in the performance of this Agreement.

Answer: Unfortunately, the terms and conditions in the RFP and sample of contract are non-negotiable. We've consulted with our Risk Management regarding the proposed Indemnification language and it was rejected.

12. Page 73, paragraph 13, states that the District's current Megan's Law Policy is attached, but I do not see it attached. Also they are asking for us to perform any additional background checks that they may require. We only do background checks upon hiring, we do not make our employees or contractors undergo background checks after employment, it not part of our company policy.

a. **13. MEGAN'S LAW SCREENING** *All of Contractor's employees, agents, servants, volunteers, independent contractors and/or employees, agents, servants, volunteers, independent contractors of Contractor's subcontractors who will be performing job related duties on District premises must pass background checks under "Megan's Law" as required by the District's current Megan's Law policy (and as that policy may be amended by the District from time to time), and any other reasonable background checks that may be required by the District as a result of policies adopted by the District's Board of Directors. Contractor will certify in writing that they have conducted the required screening and will indemnify the District for any negligence arising out of or connected with their obligations pertaining to the required screening. Contractor shall not be held liable for the lack of or inaccuracies in reporting made available by the states. A full, true and correct copy of the District's current Megan's Law policy is attached.*

Answer: The OCFEC Megan's Law Screening and Certification Form is provided in the Sample of Contract, Exhibit F, page 68.

13. The rules stipulate that all labor and delivery pricing should be included in our bid, but there's no line item for labor or delivery. Is it expected to be included in the itemized pricing?

Answer: Yes, labor and delivery should be included in the bid pricing with all equipment.

14. The rules also stipulate that we provide engineering on our clearspan structures, but there is no line item to account for that cost. Should that also be included in the itemized pricing?

Answer: Since the same engineering documents will be used for the duration of this contract, it would be best to create a line item for each size clear span structure listed in this contract.

15. Where should heavy equipment be allocated? There's no line item to account for it.

Answer: Heavy equipment should be included in the bid pricing with all necessary equipment.

16. What are the OSHA requirements for our working crew on site? How many should be OSHA 10 certified, and how many should be OSHA 30 certified?

Answer: Refer to RFP, scope of work, part E. Equipment Definitions and Bidding Instructions on page 19.

17. If we do not carry an exact match to a certain requested item, how close does a similar item need to be? Will there be an opportunity to review similar options?

Answer: Substitute equipment should be similar in function and style but colors may vary.

18. To confirm, the OC Fair is responsible for pulling any and all permits required for this event, including fire permits for the tenting, correct? Or is that something that we need to plan for? Again, there's no line item to account for the cost, how do we reconcile?

Answer: The district is responsible for submitting all required permits for this event. However, all flame-resistant certifications, engineering documents, and a letter of conformance (new each year), will be needed from the winning bidder.

19. The photo provided during the walkthrough has a date of 7/20/24, or the start of the fair. Between the start of the fair and our site walkthrough, were there any significant changes in the layout of the fair – additional items added, or items installed and removed, that would not have been present during our job walk? Any large group of chairs, tables, tents, etc that might have been provided originally but which were removed from the event prior to our site visit? If so, can you please provide a list of those items?

Answer: All the equipment items discussed in this RFP on the map from 7/20/24 remained the same during the walk thru on 8/16/24.

20. Is a lay-down yard / space provided or available, during the installation where we can drop equipment at, which is secured to assist in the installation process?

Answer: Yes, a lay-down yard of about a 60' x 30' is provided and subject to change based on available space.

21. Is site specific structural engineering required for any of the tents / structures that would be ordered? If so, can you clarify what sizes require the stamped engineering documents?

Answer: Engineering is required for the clear span structure tents of the following sizes: 80' x 60', 100' x 100', 120' x 120', 60' x 90'

22. Can we receive a .dwg file of all tenting used at the 2024 OC Fair for review prior to the bid due date?

Answer: Due to the complexity of our .dwg file for fair and all the layers, we have a concern it would be more confusing than helpful.

23. Can you provide information on how many colors of P&D were used in both Velon and satin this year?

Answer: We mainly have 2 colors in banjo cloth, Black & Silver Satin and Velon was just black for Fair and hunter green for Imaginology.

24. When would we expect to receive the initial order for the 2025 fair? February? March? Is there a date where the order is 'set' and 'final' prior to installation?

Answer: The district tries to have the initial OC Fair order to our contractor in late March to early April. We do have some changes and additions that take place and we try to get that info to our contractor asap.

25. How are change orders handled in regards, to the costs associated for moving, redoing or modifying a tent installation, pipe and drape installation, etc?

Answer: Change orders would be the total equipment and labor costs needed for per change order. Approved in advance by district staff.

26. Are structures that are 'metric equivalent' to the imperial dimensioned structures acceptable?

Answer: As long as the dimensions are equal we don't have an issue with that. Just note that our master order would still be provided to you in the Imperial system using feet.

27. During the walk-thru, it was mentioned twice that if there was a need the fair had, but that the vendor was not able to meet due to other commitments, the fair would then source those items elsewhere. Is this allowed at some point during the order process, where the vendor can notify the fair that our inventory is already committed, or must we maintain the quantity of items bid at all times for the fair?

Answer: Yes, the district understands that some equipment quantities may be committed or not available and we may need to seek the missing equipment elsewhere.

28. There are some items on the bid list that seem to be same items listed twice, i.e. 6'8" rectangular wood table and 6'8" banquet table. Are these the same items or is there a difference. Please advise.

Answer: We will update the Financial Proposal Bid Form and remove 6'8" rectangular wood tables.

29. Bid states Prevailing Wage (if applicable). Typically the tent/event rental industry does not fall under prevailing wage. Can you please confirm if this is to be bid as a prevailing wage project?

Answer: The Contractor to comply with the Prevailing Wage if applicable. It is recommended that Proposers to consult with the Department of Industry Relations to determine what part of the project requires Prevailing Wage if any.

30. Section A - minimum requirements -
4. - Engineering - you ask for current stamped California engineering drawings of structures, stages and large tents.. (no more than 5 years old).

Can you please clarify what a 'large tent' would be considered for this purpose?

Answer: A large tent would be any single tent over 2100 square feet.

31. Please specify width and length, or a total square footage that would need to be exceeded, to fall into this category of 'large tent'?

Answer: A larger tent than a 70' x 30' would fall into this category.

32. Picket fence specifications - are 3' x 7' sections acceptable?

Answer: Yes

The above answers will be incorporated as part of the contract.

Please send an email to RFP@ocfair.com to acknowledge in receiving RFI #1 if you intend to bid this project.

-End RFI #1-