



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page - 1

BIDDERS NAME

BIDDERS ADDRESS

CITY, STATE, ZIP

(____) _____

PHONE NUMBER

EMAIL ADDRESS: _____

In compliance with your advertisement for bids to be opened on May 6, 2021 and subject to all conditions thereof, the undersigned hereby proposes to furnish the item(s) and/or service(s) itemized in this proposal in accordance with the Notice to Bidders, General Information Agreement and Specifications contained herein on the Bid Proposal Form attached.

Bidder certifies that the prices quoted herein do not include Federal Excise Tax or any Federal, New York State or City Sales Tax and are not higher than prices charged to any governmental or commercial consumer for like merchandise and/or service; and all prices include shipping and freight charges to any Municipal building or site within the Town of Riverhead.

Respectfully submitted,

SIGNATURE

PRINTED NAME/ TITLE

DATE

**THIS PAGE MUST BE COMPLETED, SIGNED, AND RETURNED WITH BID
PLEASE PRINT VENDOR NAME ON THE BOTTOM OF EACH PAGE OF THIS BID.**

VENDOR NAME _____



TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page - 2

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on May 6, 2021**, at which time all bids received shall be opened and read aloud.

Bid Specifications and/or Plans may be obtained by visiting the Town of Riverhead website at www.townofriverheadny.gov on or after April 29, 2021. Click on "Bid Requests" and follow the instructions to register.

All bids are to be submitted in a sealed envelope bearing the designation **CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021**. All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "**EXCEPTIONS TO THE SPECIFICATIONS**" and be attached to the bid form.

NOTE: Bid responses must be delivered to the Office of the Town Clerk at 200 Howell Avenue, Riverhead, New York, 11901, on or before May 6, 2021 at 11:00 a.m. The Town may decline to accept, deem untimely and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

DIANE M. WILHELM, TOWN CLERK



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page - 3

A. General Description of Services

The Town of Riverhead, through the Recreation Department, is soliciting proposals from food and beverage vendors for the operation of mobile concessions (trucks, carts, trailers) from which to sell food and/or beverages to the public at the locations listed below. The Town seeks to offer a large selection of unique and specialized foods and beverages to those utilizing our parks and beaches, including but not limited to fresh-prepared hot and cold food, soft-serve and pre-packaged ice cream, fresh-scooped ices, beverages, desserts, pre-packaged snack foods, etc., offering a diverse selection of offerings at each location. The Town anticipates selecting more than one vendor for each location. The Town seeks proposals from persons or organizations that are experienced in food vending and possess a valid license to operate a mobile concession/food vending unit.

The Town's intent is to select a vendor(s) for the following locations:

Group 1: Location operating hours 11am – 6pm; minimum bid \$1000.00 PER LOCATION

All locations require a 2-hour minimum vending on site during the location operating hours set forth above by winning vendor(s):

- East Creek Docking Facility/South Jamesport Beach (Peconic Bay Blvd., Jamesport, NY)
- Iron Pier (Pier Avenue, Jamesport, NY)
- Wading River Beach (Creek Road, Wading River, NY)
- Reeves Beach (Park Road, Riverhead, NY)

Group 2: Location operating hours 8am – Sunset; minimum bid \$1500.00 PER LOCATION

The following locations require a 2-hour minimum vending on site during the location operating hours set forth above by winning vendor(s):

- Stotzky Park (Skate Park Inclusive) (Columbus Avenue and Pulaski Street, Riverhead, NY)
- EPCAL Ball Fields/Veterans Park (Route 25, Calverton, NY)

Group 3: Location operating hours 8am – Sunset; minimum bid \$500.00 PER LOCATION

The following locations require a 1-hour minimum vending on site during the location operating hours set forth above by winning vendor(s):

- Police Officer's Memorial Park (Bayberry) (Bayberry Road, Wading River, NY)
- Horton Avenue (Horton Avenue, Riverhead, NY)
- 2 Bears Park (Old Farm Road, Riverhead, NY)
- Unity Park (Oakland Avenue, Riverhead, NY)
- Millbrook Park (Lewis Avenue, Riverhead, NY)
- Grangebel Park (Peconic Avenue, Riverhead, NY)
- Miamogue Park (South Jamesport Avenue, Jamesport, NY)

NOTE: There is no limit to the number of locations/parks you may submit a bid to provide vending services. You may bid on one or more locations, simply circle location(s) above plus complete a "Vendor Bid Form" for each location- see pages 11-12.



TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page - 4

B. Submission of Proposals

1. All proposals shall be submitted and delivered to Town Clerk of the Town of Riverhead, 200 Howell Avenue, Riverhead, NY 11901
2. All proposals shall be sealed and plainly marked "**CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021**" and shall bear the name and address of the proposer. Bidders are recommended to use the label provided in this bid document.
3. **Deadline for submission shall be 11:00 am on May 6, 2021 at Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY.**
4. All proposals shall be submitted on the forms provided by the Town within this request for proposals. All proposals must be prepared in ink or typewritten and signed by the Proposer.
5. Any proposal may be withdrawn prior to the scheduled time for opening of proposals.
6. Expenses for developing the proposals are entirely the responsibility of the proposer and shall not be chargeable in any manner to the Town.

C. Evaluation & Considerations of Bid Proposals

1. The following statements outline the criteria which will be used in reviewing proposals for the awarding of the concession contract.
 - a. Experience and Resources of Concessionaire and Vendor
Proposals will be evaluated based on an evaluation of the present and past experience in the area of concession operation as proposed, experience with governmental agencies, non-profit agencies, large and small special events, financial position, professionalism, quality and level of service provided and in general, business experience.
 - b. Revenue to the Town
Proposals will be evaluated according to the amount of revenue to be paid to the Town.
 - c. Operational Provisions
Proposals will be evaluated based on operational provisions proposed by the prospective concessionaire or vendor in the areas of items, pricing and quality of services.
 - d. Past and Present Compliance with State, County and Local Laws
Proposals will be evaluated based upon history of compliance with state, county and local laws and/or violations related to but not limited to establishment and operation of food services, concession and mobile vending.



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page - 5

2. The Town shall have the right to award the bid to the most qualified proposer based upon the evaluation criteria as established.
3. This is a non-exclusive agreement. The Town reserves the right to select an appropriate number of vendors per location with the intention to avoid cross-over of product(s) vended, but no guarantee of such.
4. The Town reserves the right to reject any and all proposals received as a result of this request, to waive formalities or informalities, technical defect or clerical error in any proposal, as the interest of the Town may require.

D. Contract and Term of Contract

1. The proposal submitted shall substantially constitute the contract between the Town and the concessionaire. Any contract provisions that have not been stated herein will be drafted and included as necessary.

2. The contract term shall be as follows:

- Group 1: May 28, 2021 – September 6, 2021
- Group 2: May 28, 2021 – November 1, 2021
- Group 3: May 28, 2021 – November 1, 2021
- However, the Town may consider extending the contract term under the same terms and conditions as set forth in the bid specifications.

E. Award of Contract

The contract shall be awarded by the Town to the responsible bidder best able to provide the required services. The Town reserves the right to reject any and all bids.

F. Terms and Conditions

1. The Vendor shall provide at his/her own expense comprehensive general liability insurance in the amount not less than \$1,000,000.00 naming the Town of Riverhead as the insured or additional insured. Also required, where applicable, proof of Workers' Compensation and disability insurance for employees under the direct control of the vendor. The certificate(s) of insurance must be filed in the Office of the Town Clerk within 10 days of notification of bid award.

2. The Vendor shall save the Town harmless from or on account of any loss, cost, and liability for injury to person, or damage to property, arising out of his/her operation of the concession or mobile vending unit. Upon notification of award, Certificates of Insurance acceptable to the Town



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page - 6

shall be delivered to the Office of the Town Clerk prior to commencement of this Contract. In the event the vendor fails to submit the required certificates of insurance within 15 days after the bid award, the Town may terminate the award and award to the next responsible bidder. Note, all certificates shall contain a provision that coverage afforded under the policies will not be canceled until at least thirty (30) days prior written notice has been given to the Town.

3. The Vendor agrees to indemnify and hold harmless the Town from and against any and all liability in any way arising out of or related to vendor's performance of its obligations hereunder. The indemnity shall be the broadest form available and shall include indemnity against any liability arising out of or caused by the negligence of vendor, its agents, subcontractors, and employees.

4. The Vendor shall be responsible for obtaining all food service licenses required by state and local law. The vendor must comply with all Health Department (Local, State and Federal) regulations governing the handling and dispensing of foods and other applicable concession products. In addition, the vendor must comply with all tax and other pertinent regulations as imposed by Local, State and Federal agencies. All appropriate up-to-date certificates of compliance shall be conspicuously displayed at each concession/vending location.

5. The Vendor cannot sublet or assign this contract without the prior written approval of the Superintendent of Recreation.

6. The Vendor shall obtain a map(s) from the Recreation Department depicting the location for each mobile vending unit. The intent of having specifically identified layouts is to avoid traffic hazards. The vendor must restrict their mobile units to these designated areas unless an exception is made in writing by the Recreation Department.

7. The Vendor must adhere to park hours and operate only during the hours of the beach or park operation and additional hours as approved by the Superintendent of Recreation or his designee. The concession or vending area must be vacated at all other times.

8. The Vendor is required to maintain the concession or vending area and the immediate vicinity of said area clean by removing all litter and debris and keeping the area free of garbage and waste throughout the hours of operation. The vendor shall not allow any solid waste to blow about or accumulate on the Town of Riverhead's property. **Rubbish removal shall be at the sole cost and expense of the Vendor. All vendors must have at least (1) 30 gallon garbage receptacle next to their operation.**

9. The mobile vending unit, i.e. food cart, truck or trailer, must be in good working condition and be aesthetically appealing. Company shall be responsible for maintaining the food cart, truck or trailer's good appearance and for keeping it in good working order.



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page - 7

10. The Vendor is responsible for all utilities including electricity and water; the concession rights do not include any utilities.

11. The vendor shall not use any amplification nor verbally seek to attract customers. All noise making devices such as bells, whistles, chimes and/or any other device used to gain the public's attention to vending activity is strictly prohibited.

12. The vendor acknowledges that the novel coronavirus, Covid-19, has been declared a worldwide pandemic by the world health organization. Covid-19 is extremely contagious and is believed to spread mainly from person-to-person contact. As a result, federal, state, and local governments and federal, state, and local health agencies recommend social distancing, wearing personal protective equipment, and have limited the size of gatherings at public parks and recreational facilities. The vendor shall be required to comply with applicable local, state, or federal orders or regulations, including requirements that may require vendors and his/her employees to wear certain personal protective equipment and/or make such necessary arrangements to provide for social distancing for customers and participation in the event. The vendor acknowledges that the Town reserves the right to terminate this licensee agreement for failure to comply with this provision.

13. The intent of this Agreement is to provide food service to the patrons of the beach or park facility. Therefore, the successful bidder(s) shall provide items normally associated with lunch or breakfast in addition to the traditional ice-cream and beverage items. Glass containers are prohibited. The vendor must sell only merchandise of recognized quality, of a known brand, and manufactured by a company of best repute. All food products dispensed shall be approved by the Department of Health.

14. The vendor shall be prohibited for sale of alcoholic beverage unless a written exception is made by the Riverhead Town Board and all other required permits are obtained as required by state and local law.

15. The Department of Recreation reserves the right to make any other regulations pertaining to the concession or vending operation which are deemed to be in the best interest of the Town and the general public. The concessionaire/vendor agrees that the character of service shall be the best obtainable, and shall at all times be sufficient to meet the reasonable demands of the public; and that the Superintendent of Recreation or his designee shall have the right to object to the character of the service and to order the objectionable service or conditions discontinued or remedied. The concessionaire will be given a reasonable time period to remedy or discontinue the service in question. If the written order is not adhered to within a specified time period and of no fault of the concessionaire, the result will be revocation of the concession rights and the termination of this agreement.

16. The same courtesy shall be extended to the visitors of the Town Park or Beach as to the patrons of the concession. All visitors shall be permitted to avail themselves of the privileges offered and in no way shall the concessionaire or his/her employees discriminate against any individual, in any manner.



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page - 8

17. The Vendor acknowledges and accepts that the bid and award of bid are subordinate to the Town's reservation of rights to select and locate additional vendors at all Town Park and Recreational facilities for Town sponsored, co-sponsored or affiliated events and those special events approved by Resolution of the Town Board (Chapter 255) that authorize the holder of the Chapter 255 permit to include concessionaires or vendors as part of the Chapter 255 event. Note, these instances shall be limited and short term events. As for Town events, the Town shall make every effort to restrict the concession or vending under the limited short term contract to those items not offered for sale by the vendor awarded the concession pursuant to the terms of this bid, but in no way is the Town required to do so nor shall the Town be responsible for any lost profits. In addition, the Town of Riverhead, upon recommendation of the Recreation Department, reserves the right to contract with other snack vendors for the limited purposes of granting short term concessions to cover any and/all dates when the services of the awarded snack vendor will not be available.

18. In the event this snack concession be cancelled by the vendor within the first sixty (60) days after notification of award, a fifty percent (50%) refund will be made of the amount of fees paid to the Town as proffered in item #3 on page 12 of this document. On the sixty-first (61st) day and thereafter, no refund whatsoever is due.

19. The Town of Riverhead reserves the right to rescind the resolution authorizing this food and beverage concession at any time, and at its sole discretion, upon ten (10) days written notice to the vendor. In the unlikely event the Town rescinds that resolution due to no fault of the vendor, then the vendor shall be entitled to a refund of a portion of the amount of fees paid to the Town as proffered in item #3 on page 10 of this document. This refund portion will be calculated by using a fraction, the numerator of which is the number of months remaining on the award and the denominator is to be twelve (12).



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page - 9

**FOOD/BEVERAGE VENDOR
I. BID PROPOSAL**

A. GENERAL INFORMATION

The Proposer hereby certifies that all statements and all answers to questions herein are true and correct. Statements must be complete, accurate, and in the form requested.

1. Name, address, and telephone number of Proposer exactly as it should appear on the Concessions Agreement.

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

TELEPHONE NUMBER: _____ EMAIL: _____

2. Address of Proposer, if different from above, for purposes of notice or other communication relating to the Proposal and Concession Agreement. (If proposal is other than an individual, provide the name of an individual who can answer the Proposal).

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

TELEPHONE NUMBER: _____ EMAIL: _____

3. Proposer intends to operate the concession as a:

Corporation (); Partnership (); Joint Venture (); Sole Proprietorship (); Other (explain) _____

4. If a corporation or partnership, list the names and addresses of your principal officers or general partners:

NAME/TITLE/ADDRESS

Date of Incorporation or Organization: _____



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page -
10

Page 2, Proposal

B. QUALIFICATIONS AND EXPERIENCE:

1. Number of years proposer has performed food and/or beverage services: _____

2. Describe the nature of your experience in the operation of food and/or beverage facilities and state the number of persons you currently employ in such operations: _____

3. List locations where you have operated food and/or beverage facilities within the last five years, giving the dates of operation for each location.

4. List assigned number shown on all appropriate licenses, registrations and permits, if acquired. A copy of each permit and license must also be attached or provided to the Town with the bid proposal.

Town of Riverhead Peddler Permit #:_____

Suffolk County Department of Health Services Temporary Vendor/Vendor Permit #:_____

5. List and Identify each vehicle used to provide the services identified in the bid specifications, including vehicle Identification # and New York State License Plate #

a. Description of vehicle: _____ VIN#_____

License Plate #:_____ ;

b. Description of vehicle: _____ VIN#_____

License Plate #:_____.

C. REFERENCES:

Give names, addresses, and telephone numbers of at least three (3) references – one (1) as to your financial ability and two (2) as to your business capability to successfully operate the business. In addition, letters documenting proposer's business experience from customers, creditors, suppliers, or business contacts may be included.

NAME/ADDRESS/TELEPHONE



TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page -
11

FOOD/BEVERAGE VENDOR
II. BID FORM

1. IDENTIFY LOCATION/NAME OF BEACH OR PARK – circle the name below, one location per bid form. Bidders must submit a separate Bid Form (pages 11-12) for each location on which they are bidding.

Group 1: Location operating hours 11am – 6pm; minimum bid \$1000.00 PER LOCATION

All locations require a 2-hour minimum vending on site during the location operating hours set forth above by winning vendor(s):

- East Creek Docking Facility/South Jamesport Beach (Peconic Bay Blvd., Jamesport, NY)
- Iron Pier (Pier Avenue, Jamesport, NY)
- Wading River Beach (Creek Road, Wading River, NY)
- Reeves Beach (Park Road, Riverhead, NY)

Group 2: Location operating hours 8am – Sunset; minimum bid \$1500.00 PER LOCATION

The following locations require a 2-hour minimum vending on site during the location operating hours set forth above by winning vendor(s):

- Stotzky Park (Skate Park Inclusive) (Columbus Avenue and Pulaski Street, Riverhead, NY)
- EPCAL Ball Fields/Veterans Park (Route 25, Calverton, NY)

Group 3: Location operating hours 8am – Sunset; minimum bid \$500.00 PER LOCATION

The following locations require a 1-hour minimum vending on site during the location operating hours set forth above by winning vendor(s):

- Police Officer's Memorial Park (Bayberry) (Bayberry Road, Wading River, NY)
- Horton Avenue (Horton Avenue, Riverhead, NY)
- 2 Bears Park (Old Farm Road, Riverhead, NY)
- Unity Park (Oakland Avenue, Riverhead, NY)
- Millbrook Park (Lewis Avenue, Riverhead, NY)
- Grangebel Park (Peconic Avenue, Riverhead, NY)
- Miamogue Park (South Jamesport Avenue, Jamesport, NY)



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page -
12

2. IDENTIFY/DESCRIBE FOOD AND DRINK ITEMS TO BE OFFERED INCLUDING PRICE RANGES FOR VARIOUS SIZED PORTIONS. (ATTACH ADDITIONAL SHEETS IF NECESSARY.)

3. FEE TO TOWN--Show total amount of fees you will tender to the Town of Riverhead in return for this nontransferable concession. Note, the vendor shall remit a check payable to the Town of Riverhead within 10 days after award of bid for the full amount of the payment listed above.

\$_____ .00 Amount written in words: _____ dollars

Signature of Vendor/Owner: _____ Date: _____

Printed Name: _____

As stated above, you may bid on one or more locations.

Bidders must submit a separate Bid Form (pages 11-12) for each location on which they are bidding.



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page -
13

**FOOD/BEVERAGE VENDOR
III. ACKNOWLEDGEMENT OF PROPOSAL**

I/We fully understand that the acceptance of this bid(s) is subject to the provisions of General Municipal Law §103A and 103B.

Signature: _____

Print Name: _____ Title: _____ Date: _____

**Please make certain that you complete all information requested in the Bid Proposal, Bid Form and Acknowledgement of Bid, including, name & contact information, identify location or locations (simply complete additional Bid Forms), list food, beverages, price for each location, fee, and affix copies of licenses or permits, if previously acquired. In addition to the above, please make certain that you complete all information requested on the following certification pages.*



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page -
14

**Town of Riverhead Parks and Recreation Department
Assumption of Risk and Waiver of Liability Relating to Coronavirus/COVID-19**

The Novel Coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization. COVID-19 is extremely contagious and is believed to spread mainly from person-to-person contact. As a result, Federal, State, and Local Governments and Federal, State, and Local Health Agencies recommend staying at home, social distancing, encourage wearing personal protective equipment, and have limited the size of gatherings at public parks and recreational facilities.

BY SIGNING THIS ACKNOWLEDGEMENT OF RISK, I ACKNOWLEDGE THE CONTAGIOUS NATURE OF COVID-19 AND THAT MY USE AND/OR PARTICIPATION IN RECREATIONAL ACTIVITIES AT TOWN OF RIVERHEAD PARK AND RECREATION FACILITIES, INCLUDING MY MERE PRESENCE, MAY RESULT IN MY PERSONAL INJURY, ILLNESS, PERMANENT DISABILITY, AND DEATH.

With full knowledge and understanding I am voluntarily seeking to permission to rent/use and/or visiting Town of Riverhead Park and Recreational Facilities (TOR P&R Facilities), and acknowledge that due to my mere presence at the TOR P&R Facilities, I may be exposed to or infected by COVID-19 and that such exposure or infection may result in personal injury, illness, permanent disability, and death.

I voluntarily agree to assume all of the foregoing risks and accept sole responsibility for any injury to my minor children or myself (including, but not limited to, personal injury, disability, and death), illness, damage, loss, claim, liability, or expense, of any kind, that I or my minor children may experience or incur in connection with my presence at the TOR P&R Facilities ("Claims").

On my behalf, and on behalf of my minor children, I hereby release, covenant not to sue, discharge and hold harmless the Town of Riverhead, its officers, employees, agents, and representatives, of and from the Claims, including all liabilities, claims, actions, damages, costs or expenses of any kind arising out of or relating thereto. I understand and agree that this release includes any Claims based on the actions, omissions, or negligence of the Town of Riverhead, its officers, employees, agents, and representatives, whether a COVID-19 infection occurs before, during, or after being present at or on any and all TOR P&R Facilities.

I AGREE TO ABIDE BY APPLICABLE LOCAL, STATE, OR FEDERAL ORDERS OR REGULATIONS, INCLUDING REQUIREMENT THAT I, TOGETHER WITH ALL MY INVITED GUESTS/ATTENDEES, SOCIAL DISTANCE AND/OR WEAR CERTAIN PERSONAL PROTECTIVE EQUIPMENT AS A CONDITION OF USE/ATTENDANCE/PARTICIPATION. I FURTHER AGREE TO ABIDE BY THE CENTER FOR DISEASE CONTROL (CDC)'S RECOMMENDATIONS FOR THE PREVENTION OF THE SPREAD OF COVID-19 AND ATTEST TO HAVING READ THE CDC'S GUIDANCE AT:

[HTTPS://WWW.CDC.GOV/CORONAVIRUS/2019-NCOV/PREPARE/PREVENTION.HTML](https://www.cdc.gov/coronavirus/2019-ncov/prepare/prevention.html)

THE TOWN RESERVES THE RIGHT TO TERMINATE RENTAL/USE AND REMOVE PARTICIPANT AND ALL ATTENDEES/GUESTS/INVITEES FROM USING, ATTENDING, OR PARTICIPATING IN USE OF TOWN PARK AND RECREATION FACILITIES AND TOWN SPONSORED ACTIVITIES IF RENTAL/USER OR PARTICIPANT/GUESTS/INVITEES SHOWS ANY SIGNS OF COVID-19.

Signature of Bidder: _____ Printed Name/Date: _____

VENDOR NAME _____



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page -
15

NON-COLLUSIVE CERTIFICATE

(MUST BE COMPLETED, SIGNED, NOTARIZED AND RETURNED WITH BID)

UNDER PENALTIES OF PERJURY: _____ (BIDDER),
BEING DULY SWORN, DEPOSES AND SAYS:

- A) This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;
- B) This bid or proposal has not knowingly been disclosed, prior to the opening of bids or proposals for this project, to any other bidder, competitor, or potential competitor;
- C) No attempt has been made or will be made to induce any other person, partnership, or corporation to submit or not to submit a bid or proposal;
- D) The person signing this bid or proposal certifies that he has been fully informed regarding the accuracy of the statements contained in this certification, and under penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as the person signing on its behalf; and
- E) That the attached hereto (if a corporate bidder) is a certified copy of a resolution authorizing the execution of this certificate by the signatory of this bid or proposal on behalf of the corporate bidder.

Corporation: _____
(PRINT CORPORATION NAME)

By: _____
(SIGNATURE)

(TITLE)

Address: _____

Sworn to before me this

_____ day of _____, 20 _____

NOTARY PUBLIC

VENDOR NAME _____



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page -
16

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor is advised that once the list is posted on the OGS website, any Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should the TOWN OF RIVERHEAD receive information that a person is in violation of the above-referenced certification, the TOWN OF RIVERHEAD will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the TOWN OF RIVERHEAD shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The TOWN OF RIVERHEAD reserves the right to reject any bid or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Signature: _____

Print Name: _____

Title: _____

Company Name: _____

Date: _____



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page -
17

SEXUAL HARASSMENT STATEMENT

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of §201-G of the Labor Law.

Signature: _____

Print Name: _____

Title: _____

Company Name: _____

Date: _____



**TOWN OF RIVERHEAD
YVETTE AGUIAR, SUPERVISOR
200 HOWELL AVENUE RIVERHEAD, NY 11901
PHONE: 631-727-3200
TERESA BALDINUCCI, PURCHASING AGENT**

BID NAME: CONCESSIONS VENDORS AT TOWN PARKS AND BEACHES 2021

Page -
18

Please complete and affix to your sealed bid envelope.



BIDS MUST BE DELIVERED TO THE TOWN CLERK

BIDDER: _____

ADDRESS: _____

**BID NAME: CONCESSIONS VENDORS AT TOWN
PARKS AND BEACHES 2021**

BID OPENING DATE: May 6, 2021

TIME: 11:00AM

BIDS MUST BE DELIVERED TO:

**TOWN OF RIVERHEAD
TOWN CLERKS OFFICE
200 HOWELL AVENUE
RIVERHEAD, NY 11901**

PRIOR TO 11AM ON MAY 6, 2021

LATE BIDS WILL NOT BE ACCEPTED FOR ANY REASON