



Request for Proposal
for an administrator of the
Central Vista Business Improvement District
(CVBID)

Notice: 02/29/2016

Due 03/31/2016 by 5:00pm

TABLE OF CONTENTS

Project: Administrator for Central Vista Business Improvement District

Section 1	Notice of Request for Proposals.....	3
1.1	Notice	3
1.2	Due Date	3
Section 2	Description of Organizations.....	3
2.1	Overview	3
2.2	Resources	6
Section 3	Specifications for CVBID Administrator.....	7
3.1	Scope of Work	7
3.2	Qualifications.....	7
3.3	Content and Format of Proposals	7
3.4	Consultant’s Responsibilities	10
Section 4	Instructions for Submitting Proposals.....	12
4.1	Delivery of Proposals.....	12
4.2	Proposal Documents	13
4.3	Interpretations of the Request for Proposals.....	13
4.4	Review of Proposals	13
4.5	Review Schedule.....	14
Section 5	Award of Professional Service Agreement.....	14

SECTION 1: NOTICE OF REQUEST FOR PROPOSALS

1.1 Notice

The City of Vista (hereafter referred to as the "City") is currently seeking a qualified organization (hereafter referred to as the "Administrator") to act as the administrator of the Central Vista Business Improvement District (CVBID). The purpose of this Request for Proposals (RFP) is to select an Administrator for the CVBID that demonstrates competence and possesses the necessary qualifications to perform administration of the CVBID at a fair and reasonable cost. The City will consider proposals from qualified organizations that demonstrate extensive experience working on similar business improvement districts and/or programs.

The work to be done is described in Section 3. Copies of the RFP are available at the Vista Economic Development website (www.cityofvista.com/business/economic-development) and office (Vista Civic Center, Economic Development Department, 200 Civic Center Drive, Vista, California 92084).

1.2 Due Dates

Responses to this RFP must be received no later than 5 p.m., Thursday, March 31, 2016. The proposal must be mailed or delivered to the City of Vista, Attention: Kevin Ham, Economic Development Director, 200 Civic Center Drive, Vista, California 92084. The outside of the envelope should identify it as "CVBID Administrator RFP." The City reserves the right to reject any and all proposals, and to waive any irregularity. Electronic submittals will not be accepted in lieu of hardcopies.

SECTION 2: DESCRIPTION OF CENTRAL VISTA BUSINESS IMPROVEMENT DISTRICT (CVBID)

2.1 Overview

In 2002, the City of Vista reinstated the Central Vista Business Improvement District (CVBID) to levy annual assessments on business owners within the established boundaries. CVBID assessments are collected by the City in conjunction with business license fees and provided to the managing organization on a reimbursable basis to fund activities and improvements within the district boundaries.

To review the entire Vista Municipal Code 3.52 related to the CVBID, see the link provided in Section 2.2 Resources. A summary of the code is as follows:

2.1.1 Advisory Board

From 2002 through June 2011, the current CVBID Administrator’s Board of Directors was appointed each year to also serve as the Advisory Board for the CVBID. In 2011, the City Council altered the makeup of the Advisory Board by resolution and appointed new members to serve as the Advisory Board.

The CVBID Advisory Board meets periodically for the purpose of recommending to the City Council the expenditures of revenues derived from the levy of assessments within the District, the classification of the businesses to be assessed, and the method and basis of levying the assessments. The selected Administrator will work with the Advisory Board and city staff for implementation of the agreement. The selected Administrator serves as staff to the Advisory Board and is required to follow all applicable laws, including open meeting laws and the Ralph M. Brown Act.

2.1.2 Funding

The funding for the CVBID administration will have tiered funding over a three year period:

Year 1: \$60,000

Year 2: \$40,000

Year 3: \$20,000

The agreement will be a one year contact, renewable based on the successful performance of goals, contact terms and compliance with regulations. In addition CVBID assessment fees will be dispersed on a quarterly basis as collected by the City, which total approximately \$50,000 annually.

2.1.3 Assessment Process

Per Vista’s municipal code, the assessments to be levied upon businesses of each classification within each separate zone of the district:

METHOD AND BASIS FOR LEVYING ASSESSMENTS - CVBID				
Business	Number of Employees	Zone A	Zone B	Zone C
Retail & Restaurant	1 - 3	\$300	\$168	\$67
	4 - 10	\$450	\$250	\$100
	11 - 20	\$600	\$333	\$133
	21 +	\$750	\$418	\$167
Service		\$225	\$125	\$50

Professional and Other	\$150	\$83	\$33
Financial Institution	\$750	\$625	\$50

In the event any business operating out of a single premises or location within the district falls within two or more individual business classifications, the business is assessed at the highest amount of the two or more business classifications. Any business operating out of more than one location within the CVBID is assessed a separate assessment, according to the business classification operating at each location. If two or more businesses owned separately operate out of a single location within the District, each business is assessed separately at the assessment for the appropriate type of business classification. The assessment upon a business entity organized and operating as a nonprofit entity under California law, or the law of another state, is levied at one-half the amount of the assessment.

Businesses within the CVBID that fail to pay the assessment when due, receive 20 percent penalty on the last day of the month after the due date. If a business fails to pay within 60 days from the due date, an additional 25 percent penalty is added.

New businesses or businesses re-established during the fiscal year, which were not open at the beginning of the fiscal year, are assessed a pro rata portion of the full assessment based upon the number of months remaining in the fiscal year, rounded to the nearest full month, from the date that the business was opened.

2.1.4 Restrictions on Use of CVBID Fees

The revenues from assessments cannot be used to provide improvements and activities outside the CVBID, or for any purpose other than the following:

1. General promotion of business activities within the CVBID.
2. Promotion of public events which benefit businesses within the CVBID and which are to take place on or in public places within the CVBID.
3. Decoration of any public place within the CVBID.
4. Furnishing of music on any public place within the CVBID.
5. Acquisition, construction, installation or maintenance of improvements permitted in the Law.
6. Other activities which benefit businesses located and operating within the CVBID.

2.1.5 Modifications and Dissolution of CVBID

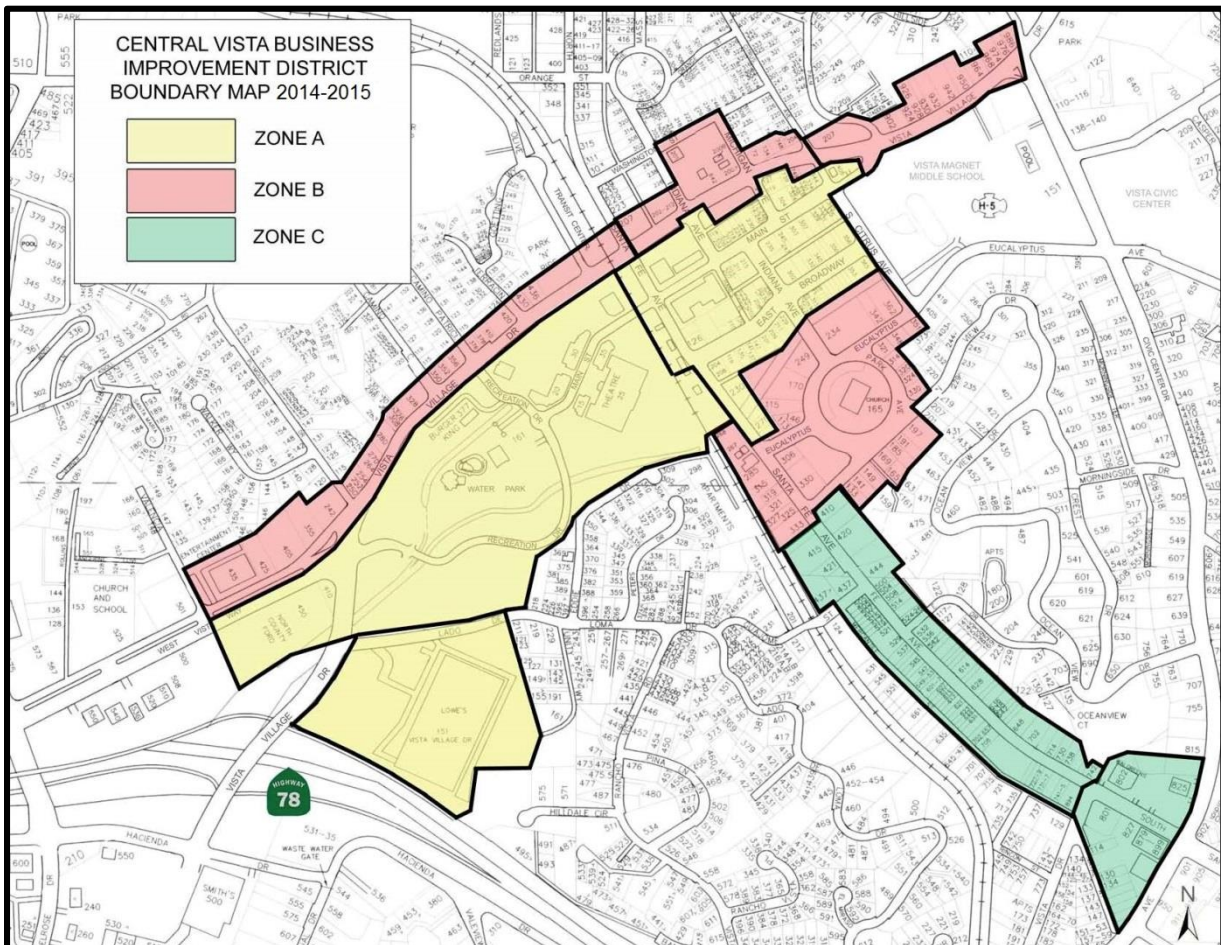
Upon recommendation of the Advisory Board, the City Council may modify the boundaries, the basis or method of assessments, the improvements or activities to be funded by assessments within the CVBID.

Owners of businesses within the CVBID who are subject to the assessment may petition the City Council at any time to disestablish the CVBID. If the petition is determined to bear the signatures of owners of businesses within the CVBID which have been assessed 50% or more of the total assessments levied within the CVBID for the most recent fiscal year in which assessments have been levied, the City Council will adopt a resolution of intention to disestablish the CVBID. The Council will also set the time and date for a public hearing to be held for the purpose of determining whether the district will be disestablished.

2.2 Resources

City of Vista Municipal Code Chapter 3.52 Central Vista Business Improvement District
District: <http://records.cityofvista.com/Weblink8/DocView.aspx?id=1044473&dbid=0>

Map of Current CVBID Boundaries:



SECTION 3: SPECIFICATIONS FOR CVBID ADMINISTRATOR

3.1 Scope of Work

The City of Vista is seeking a qualified organization to act as the Administrator of the CVBID. The Administrator will oversee the disbursement of funds from a matching grant allocated from the City's General Fund and the CVBID assessment fees collected by the City from businesses located within the CVBID boundaries.

The Administrator will use these funds to promote commercial activity within the CVBID through activities including but not limited to organized events, advertisement, decorations, musical performances, and improvements to the downtown area. The Administrator will also work with the CVBID Advisory Board to ensure all funds are spent appropriately and all requirements attached to those funds are met.

The CVBID, located in the downtown area of Vista, is a thriving destination location and home to many successful Vista businesses. Being able to coordinate and communicate effectively with these businesses located within the CVBID is an important prerequisite for efficient management for the BID area. Support of CVBID business owners will assist the Administrator in the productive promotion of downtown commercial activity. A successful proposal will demonstrate the organization's ability and plan to garner the support of downtown businesses to assist in the general objective of promoting the CVBID.

Further consideration will be given to applicants who demonstrate an ability to provide free publicity/advertising and acquisition of sponsorships from community stakeholders for the CVBID and/or additional matching funds that can be brought to bear under this proposal.

3.2 Qualifications

The firm or individual responding to this RFP must provide the following:

- A. Evidence of substantial knowledge and experience in developing business improvement districts or experience with similar activities/programs. Please highlight any experience with regional, multi-area organizations and local governments.

3.3 Content and Format of Proposals

The proposals must contain the following information in order to be considered:

3.3.1 Cover Letter

A cover letter on firm letterhead must provide the name and title of the person(s) who are authorized to answer questions about this RFP. The cover letter should not exceed one (1) page in length and should summarize key elements of the proposal. The letter must include the telephone, fax number (if applicable), email address and physical address of the office.

3.3.2 References

Provide the name and contact information for three (3) merchant associations, cities, counties, economic development organizations, or other organizations/individuals where business improvement districts or similar services/programs have been implemented.

3.3.3 Business Plan for Administration of CVBID

In order to demonstrate an applicant organization's ability to effectively manage the CVBID, each applicant's proposals will include a business plan for the administration of the CVBID. The business plan will include the following sections: Table of Contents, Executive Summary, General Organizational Description, Proposed Actions, Marketing Plan, Operational Plan, Management and Organization Overview, Startup Expense and Capitalization, and Financial Plan.

Table of Contents:

The table should include section titles with corresponding page numbers. Section titles should match those presented in the RFP.

Executive Summary:

The summary should include:

- A mission statement.
- Organizational information which should include a short statement that covers when your organization was formed, the names of management/leadership within your organization and their roles, your number of employees, and your location(s).
- Summarize any future plans for your organization.

General Organizational Description:

Under this section of the business plan, applicants will:

- Describe the nature of your organization and list the CVBID needs you will satisfy.

- Explain how your services will meet these needs.
- Explain the competitive advantages that you believe will make your organization a successful Administrator; such as your location, expert personnel, efficient operations, or ability to bring value to CVBID businesses.

Proposed Actions:

In this section, applicants should provide a summary of the organization's proposed approach to the project. The approach should provide efficient and innovative ways to achieve the scope of work in a cost-effective, timely manner. Provide a statement of time commitment by the organization to this project that demonstrates its ability to complete all assigned responsibilities.

Marketing Plan:

Under this section, applicants will provide:

- A market penetration strategy that identifies how you proposed to increase knowledge of CVBID programs and events among CVBID businesses and the general public.
- A growth strategy for building the customer base for businesses within the CVBID. This should also include any strategies for attracting more businesses to the CVBID.
- Communication strategy. How is your organization going to communicate with community stakeholders, CVBID businesses, the City, and residents of Vista? This may include a combination of the following tactics: promotions, advertising, public relations, and printed materials such as brochures, catalogs, flyers, etc.

Operational Plan:

Under this section applicants will include a summarization of:

- Location
 - Where is your organization currently located? The CVBID Administrator needs to have "presence" in the CVBID. If your organization is located outside of Vista, how do you propose to establish a presence?
 - List the size of your building you will occupy or do occupy. Is the space available in that building sufficient to meet the needs of CVBID administration in addition to any other existing responsibilities? Please explain.
- Equipment
 - An outline of the equipment needed, including cost. What does the equipment do and how do the pieces function together?
- Labor

- How many employees will you need? Full-time? Part-time?
- Break them out by function, number of hours needed, and wage/salary.
- What are your proposed hours of operation?

Management and Organization Overview:

This section will describe:

- Organization structure
 - Organizational chart with a narrative description of responsibilities of each employee/member
- Board Members' qualifications (if applicable)
 - Names
 - Positions on the board
 - Extent of involvement with organization
 - Background
 - Historical and future contributions

Startup Expense and Capitalization:

This section will provide:

- A detail account of any costs that would be incurred after agreement is awarded and before assuming the role of Administrator.
- Include costs for additional building space acquired for the purposes administering the CVBID.

Financial Plan:

This objective of this section is to:

- Create an income/expense budget.
- Develop a cash flow statement.
- Project funding amounts. Include matching grant (if awarded by city) and CVBID fees but also include any additional sources of funding your organization can bring to bear for the betterment of the CVBID. **The total amount available under an agreement to administer the CVBID will not exceed any matching grant the city may or may not award and CVBID fees.**
- List all assets and liabilities.

3.4 Consultant's Responsibilities

3.4.1 Consultant is an Independent Contractor

The Consultant shall act under the agreement as an independent contractor and will not be an agent or employee of the City.

3.4.2 Compliance with the Law

The Consultant agrees that performance under the Agreement shall comply with applicable laws of the federal government and State of California, as well as all applicable policies and regulations of the City.

3.4.3 Insurance Requirements

Prior to commencement of the CVBID Administration Agreement, the Consultant must show proof of insurance. A certificate of insurance and endorsement will be required indicating compliance with the following minimum insurance requirements and the contractor shall maintain such insurance in effect during the entire term of the Agreement with the City.

- A. Workers' Compensation Insurance to cover the contractor's employees as required by the California Labor Code. Before execution of an agreement by the City, contractor shall file with the City a signed Worker's Compensation Insurance Certification. In the event that the contractor has no employees, it will be required to file a certification that the contractor has no employees. The City and its officers, employees, and agents will not be responsible for any claims in the law or equity occasioned by failure of contractor to comply with its Agreement with the City.
- B. Commercial General Liability, personal injury and property damage liability, contractual liability, independent contractor's liability, and automobile liability insurance, with minimum combined liability limits of Two Million Dollars (\$2,000,000) per occurrence, and a maximum of deductible of One Thousand Dollars (\$1,000) per occurrence. Each such policy of insurance shall:
 1. Be issued by companies that hold a current policy holder's alphabetic and financial size category rating of not less than A-VII, according to the current Best's Key Rating Guide or a company of equal financial stability that is approved by the City Risk Manager for all coverages except surety.
 2. Name and list as additional insureds the City, City's officers, employees, and agents. An endorsement shall accompany the insurance certificate naming such additional insureds.
 3. Specify it acts as primary insurance and that no insurance held or owned by the City shall be called upon to cover a loss under said policy.

4. Contain a clause substantially in the following words: "it is hereby understood and agreed that this policy may not be canceled or materially changed except upon 30 days prior written notice to the City of such cancellation or material change as evidenced by a return receipt for a registered letter."
 5. Cover the operations of the contractor pursuant to the terms of this the Agreement; and
 6. Be written on an occurrence and not on a claims made basis.
- C. Professional Liability, with limits no less than \$1,000,000 per occurrence or claim, and \$2,000,000 policy aggregate.
- D. Special Risks or Circumstances, City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other circumstances.

3.4.4 Equal Employment Opportunity

The Consultant shall not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age or disability. The Contractor shall ensure that all employees and applicants for employment shall be treated with equality in all aspects of employment processes including, but not limited to, hiring, transfer, promotion, training, compensation and termination, regardless of their race, creed, color, sex, national origin, age or disability.

SECTION 4: INSTRUCTIONS FOR SUBMITTING PROPOSALS

4.1 Delivery of Proposals

All Proposals shall be typewritten or printed in ink clearly and legibly in conformance with the Instruction for Submitting Proposals, in accordance with Section 1.2, and submitted in a sealed envelope plainly marked on the outside, "**Sealed Proposal for The City of Vista– Do Not Open With Regular Mail.**" The Proposal shall be signed by an authorized agent of the Consultant. Submit five (5) hard copies of your response and one (1) PDF copy on a disc or thumb drive to the following address by the deadline below.

**CITY OF VISTA – CVBID ADMINISTRATOR RFP
ATTENTION: KEVIN HAM, ECONOMIC DEVELOPMENT DIRECTOR
200 CIVIC CENTER DRIVE
VISTA, CA 92084-6275**

Any proposals received by the City of Vista, Economic Development Office after the specified hour and date will not be accepted (5 p.m., Thursday, March 31, 2016).

Postmarks will not be acceptable in lieu of actual receipt prior to the prescribed hour and date.

4.2 Proposal Documents

The Proposal Documents must comply with this RFP and must respond to all requested information. The emphasis of the proposal should be on responding to the requirements set forth in this RFP.

4.3 Interpretations of the Request for Proposals

If the applicant is in doubt as to the true meaning of any part of the RFP, or finds discrepancies in or omissions from the RFP, the applicants can submit questions to Michael Luna by email at mluna@cityofvista.com. The applicants shall be responsible for the prompt delivery of questions and must comply with the specified due date.

RFP question and responses will be posted on the City of Vista's Economic Development website located at <http://cityofvista.com/business/economic-development>. Please reference this section before submitting any questions as your question may have already been answered. It is the applicant's responsibility to stay apprised of any updates.

The City shall not be responsible for any explanation or interpretations of the RFP other than by written notice. No oral interpretations of any provision in the RFP shall be binding upon the City.

4.4 Review of Proposals

All proposals shall be reviewed and evaluated for responsiveness to the RFP in order to determine whether the applicant possesses the professional qualifications necessary for the satisfactory performance of the services required. Qualifications of all parties to who provide a response to this RFP will be investigated. The City Council will ultimately select the recipient of the contract.

In reviewing the proposals, the City will consider the following:

- The experience and past performance of the applicant, its agents, employees and subcontractors in completing projects of a similar type, size and complexity.
- The applicant's timely and accurate completion of similar projects within budget.
- The applicant's understanding of the work to be completed based upon the clarity of the proposal and responsiveness to this RFP.
- Evaluation criteria include, but are not limited to, the understanding of the proposed requirements as evidenced by the quality of the proposal response,

relevant experience with business improvement districts similar to the CVBID, qualifications of staff to be assigned, project understanding, recent experience and proposal costs. The City may not select the lowest cost consultant.

4.5 Review Schedule

02/29/2016	RFP issued
03/31/2016	RFP due date; 5:00pm
04/04/2016	Notification of status to all respondents
04/11/2016	Consultant interviews (if applicable) – Vista Civic Center, 10 a.m. to 4 p.m. Plan accordingly
05/10/2016	City Council review and approval of recommended Administrator

5. Award of Professional Service Agreement

Upon completion of the review period, applicants whose proposals will be considered for further evaluation will be notified. All applicants so notified will be required to make presentations and negotiate in good faith.

The City reserves the right to reject any or all proposals, and to waive any irregularities. The award of the Agreement, if made by the City, will be based upon a total review and analysis of each proposal and projected costs.

Once an Administrator has been selected, CVBID Administrator and the City will negotiate an Agreement. The City shall not be contractually obligated to any applicant until duly authorized representatives of both the Administrator and the City sign and fully execute an agreement. The Agreement shall obligate the Consultant to defend, indemnify and hold the City of Vista, its officials, and employees harmless from and against any claims for damages arising from the work performed by the Consultant.