



THE CORPORATION OF THE CITY OF MISSISSAUGA

FORM OF OFFER

PROCUREMENT NO.: PRC0003928

Request for Proposal for Portable Outdoor Vending Carts, Mobile Trucks
To Supply Food & Beverage Services at Celebration Square, Mississauga

Closing Date: **3/28/2023**

Closing Time: **4:00 pm, Local Time**

To receive consideration, all submissions must be received on the Closing Date as noted above. Please submit your response via email in accordance with the Procurement Request Document as one (1) PDF, clearly marked with the procurement name and number and send to:

This Bid is submitted by:

Full Legal Name of Firm:			
Primary Address:		City:	
Province/State:		Postal/Zip Code:	
Name of Contact:			
Telephone:	() - , ext.	Fax:	() -
Email Address:			
HST#:		WSIB #: (if applicable)	

Remittance Address (if different):

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the City within the past two years; or

(iv) is related to or controlled by another person or entity to

(v) whom/which paragraph (i), (ii) or (iii) immediately above applies; or

(vi) is related to or controlled by another person or entity that is not in compliance with paragraph 5(a) above.

6. **THAT** the Bidder declares that only the subcontractors, equipment and material suppliers identified below will be used by the Bidder in respect of the performance of the Contract and the Bidder will notify the City in writing of any changes within five (5) business days.

LIST OF SUBCONTRACTORS:

LIST OF EQUIPMENT SUPPLIERS:

LIST OF MATERIAL SUPPLIERS:

7. **THAT** the Bidder agrees that if any statement contained in Clauses #1, 2, 3, 4, 5, or 6 is untrue or incorrect, the City shall be entitled at its sole discretion to reject this bid or, if such untruth or incorrectness comes to light after the bid is accepted, to terminate or refuse to enter into, as applicable, any Contract and to pursue any other legal recourse the City deems appropriate and that such untruth or incorrectness shall be a default under the Contract.

8. **THAT** if this bid is accepted, for the duration of any Contract:
- a) the Bidder shall continue to comply with all municipal laws and regulations as they pertain to the City of Mississauga in respect of the operation of the Bidder's business and shall ensure that its subcontractors and suppliers also remain in compliance in respect of the performance of any Contract; and
 - b) the Bidder shall comply with all federal and provincial laws and regulations, as well as any applicable City of Mississauga bylaws and policies in respect of the performance of any Contract.
9. **THAT** the Bidder has satisfied itself by such means as it prefers as to the actual conditions and requirements of the work and has secured all the information necessary to submit a bona fide bid.
10. **THAT** the Bidder agrees that this offer shall continue to be open for acceptance for a period of One Hundred and Twenty (120) days from the day of closing of the bid request and that the City may at any time within that period and without prior notice accept this bid whether any other bid has been previously accepted or not.
11. **THAT** the Bidder acknowledges that failure to supply satisfactory references may result, in the City's sole discretion, in the bid being rejected by the City.
12. **THAT** the Bidder agrees that if this bid is withdrawn before the Council or Purchasing Agent of the City has considered the bids and awarded a Contract, the amount of the deposit accompanying this bid, if any, shall be forfeited to the City.
13. **THAT** the Bidder:
- has carefully examined the locality and site(s), if applicable, of the proposed work, as well as all of the instructions, terms and conditions, specifications and other information contained in the procurement request; and
 - does hereby bid and offer to enter into a Contract to, as applicable,
 - do all of the work, and
 - provide all of the labour, and
 - provide, furnish, deliver, place and erect all materials mentioned and described or implied in the Contract including in every case freight and duty in effect on the date of acceptance of the bid, and all other charges, on the terms and conditions and in accordance with the provisions contained in the bid request, and
 - accept in full payment for such work, labour, materials and other charges the sums calculated in accordance with the actual measured quantities and with the prices set forth in this bid.
14. **THAT** the Bidder agrees that the issuance of an executed Contract based on this bid shall be an acceptance of this bid.

15. **THAT** if this bid is accepted, the Bidder agrees to furnish the contract security, and a current Workplace Safety and Insurance Board Clearance Certificate and an Insurance Certificate, all as and when required, within seven (7) days after being notified to do so. In the event of default or failure on its part to do so, the Bidder agrees that the City shall be at liberty to retain the bid security, if any, for the use of the City, and to accept the next lowest or any bid or to advertise for new bids, or to carry out the works in any other way the City deems best. The Bidder also agrees to pay the City the difference between this bid and any greater sum that the City may expend or incur by reason of such default or failure on the Bidder's part, including the cost of any advertisement for new bids.

The Bidder also agrees to indemnify and save harmless the City and its Mayor and Councillors, officers, employees and agents from all liability, loss, damage, cost, charges and expenses which they may suffer or be put to by reason of any such default or failure on the Bidder's part.

16. **THAT**, if a contract security is required, the Bidder proposes a company which is willing to become bound with the Bidder in the amount designated for the due performance and fulfilment of any Contract.
17. **THAT** a bid security, if required, is enclosed.
18. **THAT** the Form of Offer, duly completed and authorized, is enclosed.

The Bidder agrees that bids received without the FORM OF OFFER will constitute a major irregularity under the City's Policy and Procedure 03-06-02, *Bid Openings and Bid Irregularities*, and will be automatically rejected.

19. **THAT** the Bidder agrees that:
- if any requested information (other than the Form of Offer) is not included in the bid submission, the City may notify the Bidder and ask the Bidder to provide the missing information within the time period specified in the notice;
 - if the Bidder fails to provide the information within the specified time period, such failure shall constitute a major irregularity under the Policy and Procedure referred to above, and the bid will be automatically rejected.
20. **THAT**, if the procurement request document includes a form of agreement that a successful bidder would be required to execute, then the Bidder agrees that, if it is the successful bidder, it will execute the agreement substantially in the form that appears in the bid request document, except for those provisions to which the Bidder has indicated its objections in its bid.

21. **THAT** the matters stated in the bid are in all respects true.

By my signature hereunder, it shall be understood that, on behalf of the Bidder as the Bidder's authorized agent, I have read, understood and agree to abide by the instructions, terms, conditions and specifications contained in this Request Document, including the Bidder Information Package and any/all Special, Standard, and/or Supplementary Instructions and/or any/all Special and/or Standard Terms and Conditions of Contract, and Addenda No. ___ to ___.

Authorized Signature:

Name:

(Please Print)

Title:

(Please Print)

*March 27, 2014
Form F10*

SCHEDULE A

REFERENCES

Provide a minimum of three (3) current customer references, preferably municipalities where you have recently completed similar projects. Please note – can not be City of Mississauga Staff. ***Please fill in the email address of Contact Person.***

Company Name:			
Address:			
Contact Name:		Position:	
Phone #		Fax #:	
Email Address:			
Description of Work Performed:			

Company Name:			
Address:			
Contact Name:		Position:	
Phone #		Fax #:	
Email Address:			
Description of Work Performed:			

Company Name:			
Address:			
Contact Name:		Position:	
Phone #		Fax #:	
Email Address:			
Description of Work Performed:			

Schedule B

Types of Refreshments and Foods

Note: By filling in a suggested price this indicates you intend to sell that product. This list must be completed and included with your Proposal.

<u>Refreshments/Foods</u>	<u>Portion Size</u>	<u>Suggested Selling Price</u>
Soft drinks (cans only)		\$
Fruit Juices (plastic)		\$
Chips		\$
Pre-packages sandwiches		\$
Pizzas		\$
Hot Dogs		\$
Sausages		\$
Hamburgers		\$
French Fries (frozen/fresh) (specify)		\$
Salads		\$
List of additional products which are not shown above, including healthy food choices and nut free and <u>halal</u> products that may be mutually agreed upon.		
		\$
		\$
		\$
		\$
		\$
		\$

Schedule C

MANDATORY SUMMER DATES

The following is a list of scheduled events and dates which are considered mandatory from the vendor rights. Vendor permits for these dates will be arranged through City staff.

DATES	TIMES
June 4 – June 9, 2023	Noon – 10:30 p.m.
June 11 – June 15, 2023	Noon – 10:30 p.m.
June 18 – June 23, 2023	Noon – 10:30 p.m.
June 25 – June 30, 2023	Noon – 10:30 p.m.
July 2 – July 6, 2023	Noon – 10:30 p.m.
July 10 – July 14, 2023	Noon – 10:30 p.m.
July 17 – July 20, 2023	Noon – 10:30 p.m.
July 23 – July 27, 2023	Noon – 10:30 p.m.
July 31 – August 3, 2023	Noon – 10:30 p.m.
August 6 – August 10, 2023	Noon – 10:30 p.m.
August 13 – August 18, 2023	Noon – 10:30 p.m.
August 21 – August 25, 2023	Noon – 10:30 p.m.
August 27 – September 1, 2023	Noon – 10:30 p.m.
September 3 – September 8, 2023	Noon – 10:30 p.m.
September 11 – September 15, 2023	Noon – 10:30 p.m.
September 18 – September 22, 2023	Noon – 10:30 p.m.
September 25 – September 29, 2023	Noon – 10:30 p.m.
October 2 – October 6, 2023	Noon – 10:30 p.m.
October 9 – October 13, 2023	Noon – 10:30 p.m.

SCHEDULE D

FALL / WINTER VENDING DATES (MARKET TRELLIS LOCATION)

Fall and winter dates will encompass the winter village, the square skating season, and several other holidays and weekends spanning from October to April. The vending days of the week will be reduced, but not limited to; Fridays, Saturdays and Sundays.

The vending dates below are listed with the intention for the vendor to fulfill 90% of the requested dates throughout the year unless notified and agreed upon with the Mississauga Celebration Square in advance of acceptance. These expectations are not included for blackout dates.

The City's contract manager will notify the vendor if any changes to these times or dates arise or are removed. Please check off to confirm attendance.

FALL/WINTER VENDING DATES	TIMES	CHECK OFF TO CONFIRM ATTENDANCE
October 20 - 22, 2023	Noon - 10:30 p.m.	
November 3 - 5, 2023	Noon - 10:30 p.m.	
November 10 - 12, 2023	Noon - 10:30 p.m.	
November 17 - 19, 2023	Noon - 10:30 p.m.	
December 1 - 3, 2023	Noon - 10:30 p.m.	
December 8 - 10, 2023	Noon - 10:30 p.m.	
December 15 - 30, 2023 *Winter Break*	Noon - 10:30 p.m.	
January 5 - 7, 2024	Noon - 10:30 p.m.	
January 12 - 14, 2024	Noon - 10:30 p.m.	
January 19 - 21, 2024	Noon - 10:30 p.m.	
January 26 - 28, 2024	Noon - 10:30 p.m.	
February 2 - 4, 2024	Noon - 10:30 p.m.	
February 9 - 11, 2024	Noon - 10:30 p.m.	
February 23 - 25, 2024	Noon - 10:30 p.m.	
March 1 - 3, 2024	Noon - 10:30 p.m.	
March 8 - 17, 2024 *March Break*	Noon - 10:30 p.m.	
March 22 - 24, 2024	Noon - 10:30 p.m.	

MANDATORY WINTER DATES – MCS ICE RINK VENDING LOCATION

These winter dates will encompass the winter village, the square skating season, and several other holidays and weekends spanning from November to March.

The vending dates below are listed with the intention for the vendor to fulfill 95% of the requested dates throughout the timeline mentioned unless notified and agreed upon with the Mississauga Celebration Square in advance of acceptance. These expectations are not included for blackout dates.

The City's contract manager will notify the vendor if any changes to these times or dates arise or are removed. Please check off to confirm attendance

FALL/WINTER VENDING DATES	TIMES	CHECK OFF TO CONFIRM ATTENDANCE
November 15 – 30, 2023	Noon – 10:30 p.m.	
December 1 – 31, 2023	Noon – 10:30 p.m.	
January 1 – 31, 2024	Noon – 10:30 p.m.	
February 1 – 29, 2024	Noon – 10:30 p.m.	
March 1 – 24, 2024	Noon – 10:30 p.m.	

VENDOR BLACKOUT DATES

The following is a list of scheduled events and dates which are excluded from the vendor rights. The City's contract manager will notify the vendor if new blackout dates arise or are removed. Shaded events are events presented by Celebration Square.

EVENT	DATE
Independently Produced Event	Saturday May 20, 2023
Independently Produced Event	Saturday May 27, 2023
Independently Produced Event	Saturday June 3, 2023
Independently Produced Event	Saturday June 10, 2023
Independently Produced Event	Friday June 16 – Saturday June 17, 2023
Independently Produced Event	Saturday June 24, 2023
Independently Produced Event	Friday July 7 – Sunday July 9, 2023
Independently Produced Event	Saturday July 15 – Sunday July 16, 2023
Independently Produced Event	Friday July 21 – Saturday July 22, 2023
Independently Produced Event	Friday July 28 – Sunday July 30, 2023
Independently Produced Event	Friday August 4 – Saturday August 5, 2023
Independently Produced Event	Friday August 11 – Saturday August 12, 2023
Independently Produced Event	Saturday August 19 – Sunday August 20, 2023
Independently Produced Event	Saturday August 26, 2023
Independently Produced Event	Saturday September 2, 2023
Independently Produced Event	Saturday September 9, 2023
Independently Produced Event	Saturday September 16, 2023
Independently Produced Event	Saturday September 23, 2023
Independently Produced Event	Sunday October 1, 2023
Independently Produced Event	Saturday October 7, 2023
Independently Produced Event	Saturday October 14 – Sunday October 15, 2023

**Please note that all blackout dates are subject to change. Vendor will be notified of changes in advance.*

Schedule E

Insert image here for exterior of truck or cart to be used.

Schedule F

Insert image here for interior of truck or cart to be used.

Schedule G

Insert image here for the menu of the truck or cart to be used.