

## CONCESSION BID EVALUATION & SELECTION PROCESS

### **1. BID EVALUATION COMMITTEE**

Bid applications will be reviewed and evaluated by a committee, which shall include participants from Department's Office of Transactions and Public Land Administration and/or State Parks, Forests & Historic Sites ("Evaluation Committee").

### **2. ORAL PRESENTATION AND/OR CLARIFICATION OF BID**

- A. A bidder may be required to give an oral presentation to the Evaluation Committee concerning its bid. The Evaluation Committee also may require a bidder to submit written responses to questions regarding its bid. The purpose of such communication with a bidder, either through an oral presentation or written letter of clarification, is to provide an opportunity for the bidder to clarify or elaborate on its bid. However, original bids may not be supplemented, changed, or corrected in any way. No comments regarding other bids are permitted. Further, bidders may not attend presentations made by other bidders.
- B. It is within the discretion of the Evaluation Committee to require a bidder to make an oral presentation or to submit written responses to questions regarding its bid. Action by the Evaluation Committee in this regard should not be construed to imply acceptance or rejection of a bid. The Concessionaire will be the sole point of contact regarding any request for an oral presentation or written clarification.

### **3. EVALUATION CRITERIA**

- A. The following evaluation criteria, not necessarily listed in order of significance, shall be used to evaluate bids received in response to this Bid Specifications. The evaluation criteria categories may be used in developing more detailed evaluation criteria for the review process:
  - (i) The bidder's general approach and plans in meeting the requirements of this Bid Specifications;
  - (ii) The bidder's detailed approach and plans to perform the services under the Agreement;
  - (iii) The total number of binocular machine locations the bidder proposes to operate, including the optional location at Cheesequake State Park;
  - (iv) The bidder's documented experience in developing and administering outdoor recreational events and facilities;
  - (v) The qualifications and experience of the bidder's personnel, with emphasis on documented experience;
  - (vi) The bidder's overall ability to mobilize, undertake, and successfully perform in accordance with the Agreement. This judgment will include but not be limited to the qualifications of the proposed personnel and the bidder's Operation Plan;

(vii) The bidder's ability to implement past Agreements with Department, including whether bidder has been terminated or failed to fully comply with any Agreement and/or owes Department compensation, of any type;

(vii) The bidder's financial viability and organizational history; and

(viii) The bidder's monetary proposal.

#### 4. **SELECTION PROCESS**

The proposal shall be awarded with reasonable promptness and by written notice to the responsive bidder whose bid, conforming to the invitation for bids, is most advantageous to the State, price and other factors considered. Any or all bids may be rejected if Department determines that it is in the public interest to do so.

#### 5. **NEGOTIATION AND BEST AND FINAL OFFER (BAFO)**

- A. After evaluating bids, Department may enter into negotiations with one bidder or multiple bidders. The primary purpose of negotiations is to maximize the State's ability to obtain the best value based on the mandatory requirements, evaluation criteria, and price (rent). Multiple rounds of negotiations may be conducted with one bidder or multiple bidders. Negotiations will be structured by Department to safeguard information and ensure that all bidders are treated fairly.
- B. Similarly, Department may invite one bidder or multiple bidders to submit a best and final offer (BAFO). Said invitation will establish the time and place for submission of the BAFO. Any BAFO that is not higher in price than the pricing offered in the bidder's original bid will be rejected as non-responsive and Department will revert to consideration and evaluation of the bidder's original pricing.
- C. If required, after review of the BAFO(s), clarification may be sought from the bidder(s). Department may conduct more than one round of negotiation and/or BAFO in order to attain the best value for the State.
- D. Negotiations will be conducted only in those circumstances where they are deemed by Department to be in the State's best interests and to maximize the State's ability to get the best value. Therefore, the bidder is advised to submit its best technical and price proposal in response to this Bid Specifications since the State may, after evaluation, make a contract award based on the content of the initial submission, without further negotiation and/or BAFO with any bidder.**
- E. All contacts, records of initial evaluations, any correspondence with bidders related to any request for clarification, negotiation or BAFO, any revised technical and/or price proposals, the Evaluation Committee Report and the Award Recommendation, will remain confidential until a Notice of Intent to Award a contract is issued.

**NOTE: If the Department contemplates negotiation, proposal prices will not be publicly read at the bid submission opening. Only the name and address of each bidder will be publicly announced at the bid submission opening.**