City of Rochester, NY

REQUEST FOR PROPOSAL:

Point of Sale Concessions and
Inventory Control Software
for
Blue Cross Arena
1 War Memorial Square
Rochester, NY 14614

Bureau of
Business and Housing Development
Division of Real Estate
30 Church Street, Room 125B
Rochester, NY 14614

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## SECTION I – PURPOSE OF REQUEST FOR PROPOSAL

This Request for Proposal (RFP) is being issued to provide vendors with information to create a proposal to the City of Rochester, NY ("City"). This RFP solicits information and cost details regarding the capabilities of vendors specializing in the design, planning, procurement, implementation, configuration and management of a Point of Sale Concession and Inventory Control Software system. In addition to indicating the contents expected in a proposal, this RFP is intended to generally describe the terms and conditions of an agreement to be entered into by a responsible vendor and the City of Rochester to assist prospective vendors in determining whether or not to participate in this RFP process.

As a result of this RFP, the City of Rochester intends to enter into a contract with the selected Vendor to provide and implement a Point of Sale Concession and Inventory Control Software system, as well as provide the foundation for future growth within the City. However, this does not commit the City of Rochester to award a contract, or to contract for any particular services.

## SECTION II – BACKGROUND INFORMATION

### 2.1 Community Profile

Rochester is a city in Monroe County, New York, south of Lake Ontario in the United States. It is the county seat for Monroe County. Rochester's population is approximately 207,000, making it New York's third most populous city.

The current mayor of Rochester is Robert Duffy, who was previously the city's police chief. The City of Rochester's departments, offices and bureaus form the executive branch of the City government, which consist of more than 19 different departments including the mayor's office, the fire department, the police department, and the bureau of human resource management.

### 2.2 Implementation

In an effort to simplify and structure the reduction in labor costs, time requirements, theft reductions, minimization of spoilage, consumer payment flexibility and improve operational efficiencies, the City of Rochester is seeking a hardware and software system designed specifically for concession operations at stadiums, arenas, outdoor venues and other related facilities.  The desired result of this RFP is to select a solution vendor that specializes in this market sector with emphasis in the public sector in local governments.

### 2.3 Future Growth

The City of Rochester is engaged in a long term program focused on installing such a system and to maintain growth and expansion within the same.  In order to assure the success of this program the City wants to ensure scalability of the infrastructure to meet this long-term goal. The selected vendor would be required to demonstrate the resiliency of its planned product in relation to the installation process.

## SECTION III – RFP PROCESS AND PROCEDURES

### 3.1 Timetable

The vendor evaluation and selection process with the specific deadlines is outlined below:

| End Date | Activity |
| --- | --- |
| Friday, August 13, 2010 | RFP Provided to Vendors |
| Wednesday, August 18, 2010 at 9:30 – 11:30 AM | Bidder's Conference @ Blue Cross Arena |
| Monday, August 23, 2010 at 5:00 PM EST | Questions and Request for Clarification Deadline |
| Friday, August 27, 2010 at 5:00 PM EST | Response to Questions and Requests for Clarification |
| Friday, September 3, 2010 at 5:00 PM EST | Submission of Sealed Proposals |
| Friday, September 10, 2010 at 5:00 PM EST | Vendor Product Assessments |
| Friday, September 17, 2010 at 5:00 PM EST | Vendor Selection Notification |
| Monday, October 4, 2010 at 9:00 AM EST | Project Installation Commencement |
| Friday, November 30, 2010 at 5:00 PM EST | Project Expiration |

The City of Rochester may delay the vendor selection process if required to achieve specific City of Rochester objectives.

Note: A workshop (TBD and if required) will be scheduled with vendor's who are selected for the Preferred Vendors short list. The workshop will be for the evaluation and presentation of their proposed solutions. Each vendor will have full autonomy to define the agenda for this workshop to present their overall value proposition to the City of Rochester and demonstrate the unique capabilities of their solution.

### 3.2 Disclaimers and Conditions

Throughout the entire RFP process the following guidelines and procedures will apply:

• The City of Rochester maintains the right to discontinue the RFP process with any vendor at any point in time.
• The City of Rochester is under no obligation to award a contract to any vendor.
• No procedure is in place within this process for reconsideration of a vendor after a choice has been made, and the City of Rochester need give no reason for the selection or rejection of any vendor.
• If an RFP response is accepted, the City of Rochester requires the parties to enter into a contract prior to the commencement of any work. RFP responses may be attached to the contract as the Statement of Work but will be subject to the terms and conditions of the agreed contract between the City of Rochester and the vendor to be set at a later date.
• Participation in the RFP process is at the vendor's sole discretion. Although the City of Rochester intends to adhere to the process as stated herein, the City of Rochester reserves the right to modify the process, requirements, and/or timetable.
• The City of Rochester assumes no liability for costs or damages incurred by the vendor during or resulting from this RFP process.

The City of Rochester reserves the right to:
- Reject any and all proposals received in response to this RFP.
- Investigate the vendor's qualifications, financial stability, and ability to perform the required services to successfully implement the vendor's proposed solution within the City of Rochester.
- Request additional information deemed necessary for the proper evaluation of the vendor's proposal.
- Waive or modify any informal or immaterial deficiency in a proposal after prior notification to the vendor.

Vendor hereby agrees that all documents furnished shall be subject to public disclosure by the City of Rochester in the normal course of business in accordance with the requirements of the Public Officers Law, Article 6, except for proprietary information the disclosure of which would cause substantial injury to the competitive position of Vendor's enterprise. Information relating to Vendor price submissions, including commercial, book or list pricing, applicable discounts or final price and like information, shall not be entitled to confidentiality protection whether or not submitted or designated as proprietary by the Vendor. Vendor may otherwise preserve proprietary rights as to confidential or business process information in accordance with procedures established under Section 89, Public Officers Law, provided that: (i) Vendor shall inform the City prior to submission of its information, in writing, that such records are going to be furnished, are proprietary and are not to be disclosed; (ii) said records shall be sufficiently identified; and (iii) Vendor shall inform City of Rochester the reasons why the information should be exempted from disclosure; and (iv) designation of said records as exempt from disclosure is reasonable and accepted by the City.

In the event the City receives a request or order for the release of any vendor information, the City shall provide vendor with prompt notice thereof so Vendor may consult with the City concerning the release of records and seek a protective order or other appropriate remedy prior to such disclosure.


LIVING WAGE REQUIREMENTS:

Rochester City Council adopted the Rochester Living Wage Ordinance (8A-18), effective July 1, 2001, which requires covered employers who are awarded City service contracts of $50,000 or more to pay a Living Wage, as defined in the Ordinance, to their employees who perform work under the contract. As set forth in 8A-18D (1) of the Ordinance, if the total amount of the proposal is $50,000 or more during the period of one year, a written commitment to pay all covered employees a Living Wage and a list of job titles and wage levels of all covered employees in each of the years for which this agreement is sought shall be submitted with the proposal.  A copy of the ordinance can be found at: http://www.cityofrochester.gov

EMPLOYMENT OF LOCAL LABOR:

Pursuant to City Council Resolution No. 91-25, the City shall when awarding professional services agreements, give preference to organizations located within the City of Rochester or Monroe County. The use of local individuals or companies as subcontractors is also encouraged.

*3.3 INSTRUCTIONS FOR VENDOR TO REPLY*

The proposal documents may be sent via e-mail to meet the deadline; however, the original documents must follow by mail.

Vendors receiving this RFP who do not wish to submit a proposal should reply with the "No Response" form (Appendix B) to be received by the indicated contact on the form no later than the proposal submission date.

Throughout the process all responses and questions should be directed to both:

Jeff Calkins
Director of Blue Cross Arena
SMG, Inc.
One War Memorial Square
Rochester, New York 14614-2162
Phone: 585-758-5333
Fax: 585-758-5327
jcalkins@bluecrossarena.com

and

Christopher P. Nizamis
Municipal Facilities Coordinator
Bureau of Business and Housing Development
City of Rochester
30 Church St., Room 125B
Rochester, NY  14614
Phone: 585.428.7655
Fax: 585.428.6137
nizamisc@cityofrochester.gov

Questions that arise prior to or during proposal preparation must be submitted in writing or via email, pursuant to instructions in this Request for Proposals.  No contact will be allowed between the vendor and any other member of the City with regard to this RFP during the RFP process unless specifically authorized in writing by the RFP Coordinator. Prohibited contact may be grounds for vendor disqualification.

In the event it becomes necessary to revise any part of this RFP, an addendum will be provided to all that received the original RFP.

The vendor must submit a transmittal letter along with the proposal. The letter is an acknowledgement by the vendor that its attached proposal is the vendor's official response to the City of Rochester RFP. The letter must state that all information contained in the proposal is factually true and accurately meets the response criteria of all RFP sections. An authorized officer of the vendor's firm must sign the transmittal letter. Each vendor should provide four (4) hard copies for use by the City of Rochester.

The City of Rochester is not liable for any costs incurred by a Vendor in the preparation and production of a proposal. Subject to applicable law, the content of each Vendor's proposal will be held in strict confidence during the evaluation process, and no details of any proposal will be discussed outside the evaluation process.

## SECTION IV- VENDOR ORGANIZATIONAL OVERVIEW

### 4.1 EXECUTIVE SUMMARY

The vendor must provide an executive summary of the proposed solution. Areas to be covered include:

- Brief overview of proposed solution and how this will benefit the City of Rochester/BCA
- Associated costs and timelines for implementation which comprehend the costs to integrate the proposed solution
- Any additional information, which will be beneficial to the City of Rochester in the evaluation process.

### 4.2 COMPANY BACKGROUND

The vendor must provide a brief historical summary of the vendor's company. Areas to be covered include:

- Company's overall vision and mission
- Primary locations that the project and implementation teams work out of
- General background and current information about the company and key personnel
- Strategic company direction and how this direction will benefit the City of Rochester
- Current city government customers
- Additional information useful for the City of Rochester evaluation process

### 4.3 VENDOR INFORMATION

In this section each vendor will provide information on your company. Areas to be covered include:

- Official Name of Company
- Headquarters' Address
- Telephone Number
- Fax Number
- Federal Tax ID Number
- Names under which the business has operated within the last 10 years
- Contact Name for questions concerning RFP response
- Contact's Telephone Number
- Contact's e-mail address
- Is company authorized and/or licensed to do business in the State of New York?
- Does your company have an office in the City of Rochester or County of Monroe?
- Company Ownership Status – Private or Public?
- If Private, list primary owners and their percentage ownership
- If Public, list stock trading symbol and market which it is traded
- Has corporate ownership changed in the last 5 years? If so, provide details.
- Has the company purchased any other companies or divisions of companies in the last 5 years? If so, provide details.
- Has the company or any of its principals defaulted on any municipal contracts in the past 5 years? If so, provide details.
- Please provide details on any lawsuits involving the company that are currently pending or occurred in the past 5 years.

- Has your company ever been declared bankrupt or filed for protection from creditors under state or federal proceedings? If so, state the date, court, jurisdiction, amount of liabilities and amount of assets.
- Is your Company currently on the approved NYS Contract list? If yes, identify contract services and State Contract number?

## 4.4 VENDOR CUSTOMER REFERENCES

The vendor must provide a complete listing of organization customers, including contact names, addresses, and telephone numbers, which the vendor and subcontractor(s) have performed similar work for within the last five (5) years. Two (2) of these customers should be highlighted as references regarding any implementation efforts in which the key personnel proposed to implement this project have been assigned.

Representatives of the City of Rochester expect to contact and possibly visit some of these reference clients. References should be provided, which can address assessment, design, procurement, coordination, installation, implementation, customer service, support and training. The vendor and any subcontractor(s) must state if he/she has been sanctioned, suspended or debarred by any authorities or oversight entities within the last ten (10) years and the reason for the sanction, suspension or debarment.

Each of the references should include the following:

- Project Name
- Project Description
- Organization Name
- Organization Size
- Organization Address
- Contact Name
- Contact Phone Number
- Contact Email
- Project Completion Date

## 4.5 FINANCIAL INFORMATION

The vendor must provide the last two (2) years worth of audited financial statements.  If you are a publicly traded company, please provide your ticker symbol and any pertinent financial disclosures which might be relevant to shown the solvency and strength of the company.

## SECTION V - RFP RESPONSE TEMPLATE

Division of Responsibility
   If you are the manufacturer of both the hardware and software please note as such in this
   section.  If you are a dealer, distributor or third party and not the manufacturer of the goods and
   software please note manufacturer, product lead time for both the hardware and software.
   Additionally, detail your relationship with the manufacturer, note legal arrangement
   (contractual or not), years remaining and renewal date.

Goods and Services
   Please specify all software modules and hardware platforms with name of manufacturer
   needed to meet the requirements of this RFP. Also, please specify the source of all
   implementation personnel that you intend to involve with this project.

Equipment Configuration & Requirements – See appendix A

Warranty
   Please provide all warranty information with respect to the equipment, include help desk,
   hardware coverage for year two, Credit Card support, software upgrade program, include
   times of coverage, normal response times and service methodology.  Additionally, provide any
   third parties which might service the equipment and their response times for on-site arrival.
   Please discuss your help desk, staffing and methodology for placing a call.  Detail history and
   nature of the relationship with local vendor should you not have a direct office.

Installation
   Clearly define and breakdown your installation process by location or job task, include any
   estimated travel, and freight expenses as well.

Local Service & Support
   Please provide description of provided on-going service & support including information on the
   Dedicated Account Manager who will provide support to the installation and system operations.

   NOTE: Direct representative of company must be able to respond to service support within 12
   hours of notification.

POS Operations & Back Office Requirements
   Please respond to the table information below in the RESPONSE section.  If more space is
   required please attach an addendum and note as such in the response section.


Please respond within the format provided.  This will ensure that all information is provided ad will
facilitate our use of this information.

| DESCRIPTION | RESPONSE |
|---|---|
| System requirement include: Server Operating Systems and Hardware PC requirements (i.e. processor, RAM, hard drive, etc. | |
| POS system must be run from a single central database using a single server. Clusters of POS using an enterprise reporting tool are not desired | |
| All POS software is to be in Windows format, including OS running on multi-platform POS workstations, touch screen, keyboard, hand-held and Kiosk terminals. Database shall be available in either SQL or Oracle | |
| Touchscreen and Keyboard POS to run Windows CE operating system | |
| POS system shall use standard Ethernet Technology utilizing CAT5/6 cabling, is IP addressable and has no special termination requirements.  Note: all devices must be IP addressable. | |
| POS system must use standard client server technologies.  All workstations communicate directly with the server with no workstation clients being 'daisy-chained' | |
| All POS connection shall follow Ethernet rules and be done with standard jacks and standard RJ45 connectors installed by site | |
| Ability for all Concession POS terminals to be 90 key position Keyboard Workstations, unless otherwise indicated | |
| Ability for all Suites, Restaurant, Catering and Manager Station POS terminals to be Touchscreen Workstations, unless otherwise indicated | |
| Hand Held POS must be capable of taking orders, send orders to preparation areas, enable on-demand printing of receipts by wait staff, and capture signatures on device for credit cards orders | |

| DESCRIPTION | RESPONSE |
|---|---|
| POS is capable of using a interactive kitchen management system that can be used to track speed of service, and kitchen production based on programmable parameters and produce reports on-demand for any of these functions | |
| Each unit shall be capable of supporting the following optional peripheral devices:<br> - Bar Code Scanner<br> - Remote customer display<br> - Multiple Cash Drawers<br> - Contactless Payment Systems<br> -  ID verification system<br> -  Liquor Dispensing Systems<br> -  Property Management Interface | |
| POS units shall be mountable on pedestals or platforms that elevate the device off the countertop so that food service space is preserved | |
| Cash drawer shall be mountable underneath the concessions counter, either directly under the POS unit or offset from the center of the POS unit | |
| POS units shall have two displays (cashier and customer) capable of displaying a continuous sub-total on both. Displays shall be backlit. Cashier display must have a minimum of 11 display lines.  Customer display shall be a minimum of 2 lines. | |
| All POS shall operate independently, capable of running and storing event data as a freestanding unit.  Each unit shall function in full operation with the POS server or network down. Once connectivity is restored, all stored transactions must be transmitted to the server with 100% data integrity | |
| Stand receipt printing in Concession Stands is by shared IP printers | |
| Requisition kitchen printing is by shared IP printers | |

| DESCRIPTION | RESPONSE |
|---|---|
| POS units are to be used for customer transactions and for opening and closing data entry for inventory counts | |
| Main Concessions POS terminal shall be a Keyboard version with a minimum of 90 programmable keys with standard ,integrated scanner and customer display and available battery backup for operations up to 10 hours | |
| Keys can be preset to specific menu item and price | |
| POS units in same stand shall have same menu, different stands may have different menus | |
| Menu and pricing maintenance and reporting must be able to be maintained and viewed either locally or remotely with multiple concurrent users as part of core software functionality.  Ability for on the fly changes with near real time update at stands. | |
| POS units shall be able to be cleared in preparation of a new event from a central location either automatically or through a manual process | |
| POS units shall have a minimum of three security levels: low level for cashiers to process orders, data entry level for key entry of closing credits, and supervisory level for sales total lookups and maintenance functions | |
| POS units shall be easily relocated from one stand to another by simply reloading a new menu of sales items, in order to satisfy varying demands of functions and events, promotions, portable carts, and remote kiosks | |
| Magnetic card readers standard and integrated part of the POS unit and be able to read Tracks 1,2,3. | |

| DESCRIPTION | RESPONSE |
|---|---|
| All Standard Function Keys are available on either Touchscreen, Hand Held or Keyboard POS | |
| POS can accept a wide range of Tender types and provide the ability to track and report on each.  Supported tender types should include Cash, Visa, MC, Amex, Diners, Discover; and Gift Cards, Employee Meal Cards as integrated  program supplied by POS provider | |
| POS can have the capability to be programmed to apply multiple discounts as percentage or item discounts and each can be configured to apply to only specific menu items or access by specific groups of employees. | |
| POS units can connect to an electronic cash drawer that opens when a tender media key is pressed, and which prevents the cashier from making additional sales when the drawer remains open | |
| POS can provide on demand "X" reports at the workstation level that can either be printed or display on the workstation screen.  Reports provide such information as Total Revenue, Net Sales, Sales counts and amounts by Tender, menu item group, and/or by individual menu item, event reporting for multi- event days. | |
| POS can support stored table or tab charges, accessible from any unit in the same location | |
| POS can provide the ability to setup stored value card accounts and programs. In addition, stored value card accounts and programs that can be used to apply specific discounts as well as restrict redemption on specific menu items and/or menu item. | |

| DESCRIPTION | RESPONSE |
|---|---|
| POS can provide the ability to generate and print Menu Item Sales reports at the workstation level. Reports can be run for ALL menu items or a specific range of menu items, for any stand. | |
| POS can generate and print numerous different types of reports of sales information at both the workstation and server level by event, range of dates, specific dates consolidated. | |
| All transactions will be transferred in detail to the central database so that all inventory can be tracked in real-time and electronic journals built for all POS locations. System shall provide a full electronic journal for each transaction, with optional data appended for time, date, till number, cashier ID and membership number. | |
| Each unit shall have a unique device ID to identify it to the POS server | |
| Each transaction shall be assigned a unique transaction number to assist in audit trail | |
| POS units will be capable of holding and retrieving multiple sales so that a sale may be put on hold (suspended) and another customer serviced in the event of a wait for product or while a sales query is resolved | |
| POS system and reporting can be either event or day driven | |
| Interface capabilities shall be available in various formats such as flat file, XML, DLL provided through an open API | |
| All items including menu items, discounts, tenders, service charges, etc. can be configured to be accessible by specific employees or employee groups. A restricted item can be setup to require manager authorization (either via card swipe or entry of employee ID). | |

| DESCRIPTION | RESPONSE |
| --- | --- |
| Software must be mature in its current operating system format, be aggressively updated and have a minimum of 5 successful references | |
| Software shall be fully integrated with POS application software so that sales and inventory data from concessions, suite catering, fine dining, bars and in seat service can be contained in a single report | |
| Ability to update back office software in all locations from a central point | |
| Credit card software shall fully integrate with all POS and shall be available as dial in or web based DSL.  POS should be credit card processor independent | |
| Credit cards should process a high-speed internet network and have the ability to store transactions should a network failure occur | |
| Software shall support multiple security access levels based on user profiles with domain level security desired. Security shall be structured to allow access to only certain parts of the system, but shall also be able to restrict those parts to full access or read only | |
| Vendor certifies that they are currently PCI and PA-DSS compliant. Vendor must also show plan to keep current with all new developments and requirements from credit card industry | |

**Inventory Control and Event Accounting Software: Purchasing Functions Summary**

| DESCRIPTION | RESPONSE |
| --- | --- |
| A purchase order subsystem which generates requisitions and pre-numbered purchase orders, items received to outstanding purchase orders, and facilitates a purchase bid or quote system | |
| Maintain item lists by supplier. Create/Modify/Print Purchase Orders | |
| Receipt of product with real time stock and cost updates | |
| Purchase order reports by item, supplier, date | |
| Good received reports by item, supplier, date | |
| Ability to flag items short in stock to meet anticipated needs | |
| All inventory transactions produce balanced debits and credits | |

**Inventory Control and Event Accounting Software: Event Accounting Functions Summary**

| DESCRIPTION | RESPONSE |
| --- | --- |
| Manage location inventories by event | |
| Provide capability to transfer product on picking tickets | |
| Real time inventory debits/credits | |
| Stand sheet system for concession stand transactions | |
| Assignment of labor components at stand location | |
| Cash room module to accept sales deposits during event | |
| Complete event accounting reports detailing | |
| Sales by Company and Product Category | |

**Inventory Control and Event Accounting Software: Other Requirements Summary**

| DESCRIPTION | RESPONSE |
|---|---|
| POS shall connect to a receipt printer, with one receipt printer required for every two fixed points of sale. Unit shall be able to share any printer in the same location and printers shall be able to be quickly reassigned in the event of a printer failure | |
| Units shall support multiple report printing of selectable plus i.e. kitchen printing | |

**Other Potential Requirements**

| DESCRIPTION | RESPONSE |
|---|---|
| POS has the ability to use a enterprise-wide web-based reporting tool | |
| Vendor can supply an industry specific software solution to manage luxury suites operations at the facility: to include the ability to input suite food pre-orders, add to orders during the event, provide a labeling system in the kitchen for production and delivery, and keep a database of suite owners | |
| POS system has the capability to interface to a value-added ticketing solution, such as STADIS, and  to be able to redeem the value-added tickets at all POS locations | |
| POS system may be required to operate Retail outlets | |

**Maintenance Coverage:**

| DESCRIPTION | RESPONSE |
|---|---|
| Describe provided coverage to include Basic or Extended coverage.  Hours of consideration are from : Monday – Sunday 9:00 am – 10:00 pm including holidays. | |

**Miscellaneous Requirements:**

| DESCRIPTION | RESPONSE |
|---|---|
| All cabling must be concealed from view and secured from tampering by cahier or customer | |
| POS units must be mounted on pedestals or platforms (on the front or back counter) that elevate the device of the countertop so that food service space is preserved | |
| Cash drawer must be mountable on top of the counter or underneath the concessions counter – either directly under the POS unit or offset from the center of the POS unit | |
| POS units must have two (2) displays – one for the cashier and one for the customer which shows items ordered and pricing | |
| Magnetic card reader must be integrated in the POS terminal | |
| POS units must be spill resistant with no damage resulting from the expected incidental spillage | |

## SECTION VI - FEE AND PRICING SCHEDULE

The vendor must detail its pricing and payment terms in line with the project deliverables and milestone dates provided in the proposed implementation plan.  The proposal must provide a detailed breakdown of charges for each service, product, personnel and license, whether offered directly or indirectly through a third party as per our equipment configuration In Appendix A. Please include all equipment (servers, etc.) and software (Operating System, POS software, etc.) necessary to operate the POS configuration. Windows OS MUST be fully licensed per Microsoft standards with appropriate number of Client Application Licenses.  The City of Rochester, NY reserves the right to negotiate services and prices.

## SECTION VII - RFP RESPONSE EVALUATION

The bidder's proposal will be evaluated with regard to its ability to meet the tasks set forth in the RFP. To result in an awardable contract, the bidder's proposal must demonstrate the ability to satisfy all the technical requirements as set forth in the RFP and conform to all required terms and conditions. The following areas will be considered in the evaluation of this RFP:

- Company / Staff Qualifications

- Technical Specifications and Design, including but not limited to:
  - ✓ Scalability
  - ✓ Manageability
  - ✓ Ability to Upgrade/Update
  - ✓ Meeting Requirements
  - ✓ Fault Tolerance/Availability
  - ✓ Backup / Archival Capabilities
  - ✓ Security
  - ✓ Design

- Implementation
  - ✓ Planning Methodology
  - ✓ Project Management
  - ✓ Knowledge Transfer

- Pricing

- Vendor Primary Business Location

- Overall Response


The selection committee will review all proposals and will be evaluated for reasonableness and completeness based on adequate price competition and/or comparison with the independent cost estimate. The City reserves the right to conduct a price realism analysis to determine whether a vendor's proposed prices are realistic for the work to be performed, reflect a clear understanding of the requirements and are consistent with the various elements of the technical proposal.  The committee will then select the vendor whose proposal in their judgment indicates the best opportunity for a completely successful project. The committee may decide to recommend proceeding with the project for the fee proposed, or it may decide that negotiation of the fee is required.

## SECTION VIII - TERMS AND CONDITIONS

The City of Rochester reserves the right not to accept any proposal. The RFP should not be construed as a contract to purchase services and the City of Rochester shall not be obligated in any manner until a written agreement relating to an approved proposal has been duly executed.

Proposal revisions must be received prior to the proposal submission/closing date and time. Vendor is solely responsible for any and all costs associated with preparing and submitting proposals and such costs will not be borne by the City of Rochester. Receipt of proposal by the City of Rochester will be considered acceptance of the RFP terms and conditions by the Vendor, and will be incorporated into the Vendor's proposal.

Subcontracting may be allowed for some requested services as a condition of the anticipated contract for service. When allowed, proposed subcontractors must be listed in the proposal. Vendor represents and warrants that it is available to perform the services outlined in its proposal and furthermore that it is under no conflicting obligations that may interfere with its duties to the City of Rochester because of work it may have undertaken with others if its proposal is accepted.

If a written contract cannot be concluded within fifteen days of notification, due to the direct actions and cooperation of the Vendor, the City of Rochester, may, in its sole discretion, terminate negotiations with that Vendor and either negotiate a contract with another Vendor of its choice or choose to terminate the RFP process and not enter into a contract with any of the Vendors.

The implementation of the selected proposal is dependent upon funding for the work set forth in the proposal being approved by the City of Rochester and the City Council. Under no circumstances will Vendors, or any employee or agent thereof, directly or indirectly disclose the terms or receipt of the RFP to a third party without the written consent of the City of Rochester. All documents submitted by Vendors shall become the property of the City of Rochester.

Vendor hereby agrees to defend, indemnify and hold the City of Rochester harmless for and against any and all claims, losses, damages, costs, expenses, and other actions made, sustained, brought, threatened or prosecuted in any manner based upon or arising from any communication or action by Vendor in the proposal or purported performance of the agreement herein, or claims relating to the infringement of copyrights, trademarks, trade secrets, patents, or any other confidential information or intellectual property of another.

The City of Rochester may terminate this proposal at any time for any reason whatsoever and is not obligated to accept the lowest vendor bid proposal. Prior to the proposal closing date, a submitted proposal may be withdrawn by Vendor by submitting a written request to the City of Rochester contact named in the RFP. All such requests must be signed by a duly authorized representative of the vendor.

## POS Hardware Configuration

| Stand | Location | Level | Key board POS | Wireless KB POS | Touch Screen POS | Cash Drawers | POS Ped-estals | Attached Printer | Thermal Printer | IP Kitchen Printer |
|---|---|---|---|---|---|---|---|---|---|---|
| Alcove 1 | Exchange-South | 2 | 4 | | | 4 | 4 | 4 | | |
| Alcove 2 | Exchange-North | 2 | 4 | | | 4 | 4 | 4 | | |
| Alcove 3 | Riverside-South | 2 | 4 | | | 4 | 4 | 4 | | |
| Alcove 4 | Riverside-North | 2 | 4 | | | 4 | 4 | 4 | | |
| Stand 3 | Exchange-SW | 2 | 1 | | | 1 | | 1 | | |
| Stand 4 | Exchange-SW | 2 | 2 | | | 2 | | 2 | | |
| Stand 5 | Exchange -NW | 2 | 2 | | | 2 | | 2 | | |
| Stand 6 | Exchange -NW | 2 | 2 | | | 2 | | 2 | | |
| Stand 9 | Riverside-SE | 2 | 1 | | | 1 | | 1 | | |
| Stand 10 | Riverside-SE | 2 | 2 | | | 2 | | 2 | | |
| Stand 11 | Riverside-NE | 2 | 2 | | | 2 | | 2 | | |
| Stand 12 | Riverside-NE | 2 | 2 | | | 2 | | 2 | | |
| Lobby North | Floor level | 1 | 4 | | | 4 | 4 | 4 | | |
| Atrium Bar | North | 2 | | 2 | | 2 | | 2 | | |
| Pizza Stand | SE Concourse | 2 | 4 | | | 4 | 4 | 4 | | |
| Sweet Spot | SE Concourse | 2 | 4 | | | 4 | 4 | 4 | | |
| Blue Zone | SW Concourse | 2 | 4 | | | 4 | 4 | 4 | | |
| Court St. Grill | SW Concourse | 2 | 4 | | | 4 | 4 | 4 | | |
| Bud Pub | NW Corner | 2 | 2 | | | 2 | | 2 | | |
| Party Decks | Rinkside-SE/SW | 1 | | 2 | | 2 | | 2 | | |
| Catering | | | | 2 | | 2 | | 2 | | |
| Merchandise | Lobby-N. Concourse | 2 | | 4 | | 4 | | 4 | | |
| Kitchen | NE Floor level | 1 | | | 1 | | | | 1 | 1 |
| Suite Pantries | 3rd Floor-NE/NW | 3 | | | 2 | | | | 2 | |
| F&B Mgr. Office | Office | 1 | | | 1 | | | | 1 | |
| | | | | | | | | | | |
| TOTAL | | | 52 | 10 | 4 | 62 | 36 | 62 | 4 | 1 |

**Appendix B: No Response Form**

If you choose not to respond to this Request for Proposals, please fax or e-mail this form back to the City of Rochester at your earliest convenience, to the attention of:

Christopher P. Nizamis
Municipal Facilities Coordinator
Bureau of Business and Housing Development
City of Rochester
30 Church St., Room 125B
Rochester, NY  14614
Phone: 585.428.7655
Fax: 585.428.6137
Email: nizamisc@cityofrochester.gov


RFP Name:
Company:
Address:
Contact:
Phone:
Email:

**Reason for No-Response:**
Project capacity:

Cannot meet delivery requirements:


Do not want to do business with City of Rochester:


Cannot quote competitively:


Cannot meet specifications:


*Other:




*Other reasons for not responding might include insufficient time to respond, do not offer product or service, specifications too stringent, scope of work too small or large, unable to meet government insurance requirements / regulations, cannot meet delivery or schedule requirements, etc.