



Request for Proposals (RFP) Up to FOUR (4) Vending Carts Santa Monica Pier



Proposals Due: no later than 4PM, December 18, 2013

Attn: Pier Vendor RFP
Economic Development Division
1901 Main Street, Suite E
Santa Monica, CA 90405



REQUEST FOR PROPOSALS FOR THE OPERATION OF MULTIPLE VENDING LOCATIONS ON THE SANTA MONICA PIER

1. INTRODUCTION

The City of Santa Monica is requesting proposals from interested and qualified entities for a revocable, nonexclusive license to operate a retail or food mobile vending cart, supplied by Vendor, at designated locations along the Santa Monica Pier.

This Request for Proposals (RFP) contains the informational requirements of the Santa Monica Pier Vending Cart Program and questions for the respondents to address.

2. OBJECTIVE:

The City will award **up to** Four (4) mobile vending cart Licenses on the Pier, which in the City's opinion will best meet the City's operational requirements outlined in this RFP and enhance the experience of the pier visitor by making available to them a variety of interesting and unique products.

If you wish to present more than one vending cart concept please fill out a separate application for each concept, as each will be scored and considered independently. A single Operator will not be selected to operate from more than one license area.

3. GENERAL DESCRIPTION

Built in 1909, the Santa Monica Pier's ability to attract large crowds impressed Charles Looff, an amusement park pioneer who had built Coney Island's first carousel in New York. In 1916, after negotiations with the City of Santa Monica, Looff constructed his "Pleasure Pier" alongside the Municipal Pier. The Pleasure Pier featured the landmark Looff Hippodrome building, a California-Byzantine-Moorish-style fantasy that has housed a succession of vintage merry-go-rounds and Wurlitzer organs. It also boasted the Blue Streak Racer wooden roller coaster and the Whip and Aerospace thrill rides.

Today, the Santa Monica Pier is one of the region's premier recreational and entertainment destinations, attracting over six million visitors annually. The Pier offers spectacular ocean vistas and year-round events and attractions and is home to an exceptional collection of restaurants, shops and activities, including Bubba Gump Shrimp Co., Pacific Park Amusement Park, Santa Monica Pier Aquarium, Playland Arcade and the historic Santa Monica Pier Carousel.

4. MINIMUM QUALIFICATIONS:

- Prefer two (2) years continuous experience in operating a vending cart or comparable operation.
- Must have fiscal and managerial resources, in the opinion of the City, that are adequate to ensure full and proper performance under the program guidelines and Vending License.
- Must have a reputation for professionalism, quality of service and cooperation satisfactory to the

City.

- Should be able to attend Santa Monica Pier Cart Association meetings, an association of Pier vending cart operators, and participate in Santa Monica Pier Cart Association activities and promotions.

5. PROPOSAL DUE DATE:

For consideration under this RFP please submit **Five (5) copies** of your proposal no later than **4 P.M. on Wednesday, December 18, 2013.**

Proposals may be mailed or hand delivered to:

Attn: Pier Vendor RFP
City of Santa Monica
Economic Development Division
1901 Main Street, Suite E
Santa Monica, CA 90405

Late proposals will not be considered. Telephone, facsimile or email proposals will not be considered.

6. LICENSE AND TERM

The License will be for a period of one year. The License Agreements with the selected operators will be prepared by the City Attorney’s Office and is subject to approval by the City Council. A sample license containing the standard required terms and conditions is available on line at: www.smgov.net/cartlicense

7. PERMITTED ITEMS:

The City seeks to grant a License to operators who will offer creative, imaginative and unique retail merchandise or food items that are compatible with the ambience of the Pier and will also enhance the experience of visitors and residents.

In order to maintain a program consisting of distinct and diverse merchandise, the City will endeavor to limit the number of vendors which carry the same or similar types of merchandise or food.

Each Vending License Agreement will identify precisely what items Licensee is permitted to sell, and during the term of the License, Licensee may not change or add merchandise without first receiving prior written approval from the City.

SPECIAL NOTE TO FOOD VENDORS – Carts from which food or beverages are sold are required by law to obtain a food service permit from the Los Angeles County Department of Health. Vending carts on the Pier are limited in size to no more than 4’ x 9’. Los Angeles County Health Department standards are very strict and not all food uses can be accommodated within a cart that is 4’ x 9’. Please contact the County Health Department at (626) 430-5500 to receive more information on their standards and requirements. Selected food operators will be given up to 60 days following selection to secure a compliant cart.

8. DAYS AND HOURS OF OPERATION.

The Vending Cart Program requires vendors maintain regular and consistent operating hours. The minimum days and hours of operation shall be:

Month	Day	Hours
June through August	Seven (7) days per week	Licensee shall open before 11:00 a.m., and remain open a minimum of eight (8) hours.
September through May	Five (5) days per week, including weekends and all legal holidays.	Licensee shall open before 12:00 p.m., and remain open a minimum of eight (8) hours.

9. MONTHLY LICENSE FEE:

The selected Vendor (Licensee) shall be expected to pay the following monthly License Fee per cart:

July, August, September	\$1,300.00 per month
October, November, December	\$1,000.00 per month
January, February, March	\$650.00 per month
April, May, June	\$1,000.00 per month

Licensee shall be required to provide to the City, along with the monthly License Fee, a written report signed by the Licensee, showing the gross sales made in the preceding calendar month.

10. LICENSE AREA:

Mobile vending carts currently operate from one of eleven designated License Areas along the Pier’s public walk way (Exhibit B). Each vending cart License Area is 4 x 9 foot. One chair for the cart employee and an umbrella canopy affixed to the cart may extend outside the License Area. The City reserves the right to relocate designated License Areas on a permanent or temporary basis as needed.

Carts rotate on a weekly basis through the designated License Areas.

The sale of merchandise shall only take place from within the designated License Area and no furnishings or fixtures shall be installed in such a manner as to become permanently affixed to or a part of the License Area.

Carts must be delivered to the License Area at the start of the business day and removed from the License Area at the close of the business day. Responsibility for transporting carts to and from the License Area shall be the sole responsibility and at the sole cost of the Licensee. Vehicles used to pull cart out to a location are not allowed on the deck after 10am daily. Section 18 of this RFP contains information about cart storage.

11. ELECTRICITY:

The City provides one 20 amp grounded duplex outlet to the Licensed Area. No generators are permitted.

12. VENDING CART:

The Licensee will be responsible at its sole cost for the design, purchase and maintenance of a high quality and attractive vending cart and all equipment necessary to deliver the products and services in a clean, attractive, and safe manner.

Vending Carts should be designed to add color and attractiveness to the Pier as well as be fabricated from durable and high quality materials to withstand the harsh marine environment and the daily movement to and from the License Area. Carts must comply with design specifications below and with Vending Cart Guidelines (Exhibit E) and be approved by the City prior to the commencement of operation on the Pier. A photograph or drawing of the cart with dimensions must accompany the application.

12.1 CART DIMENSIONS AND WHEEL SPECIFICATIONS:

- Dimensions of the cart may not exceed 43” wide x 90” long x 84” high as measured from the ground.
- Wheels – Heavy-duty and pneumatic wheels with a width of no less than 2inches. Brakes on all wheels.
- Additional cart specifications are outlined in the Vending Cart Guidelines (Exhibit E).

13. VISUAL DISPLAYS

The displays and merchandising of the cart must be neat, clean, fully stocked and visually pleasing in general presentation. All merchandise must be displayed on or within the carts. Displays must be approved by the City of Santa Monica.

14. SPECIAL OPERATIONAL REQUIREMENTS

In order to reduce the environmental impacts related to the use of non-recyclable plastic disposable food service containers (such as Styrofoam) and single-use plastic bags, the City of Santa Monica has instituted a Non-Recyclable Food Service Container Ban that went into effect on February 9, 2008 and single-use plastic carryout bags that went into effect as of September 1, 2011. More information about the city’s prohibition on containers can be found at www.sustainablem.org/container and single-use Carryout Bag Ban can be found at www.sustainablem.org/bag.

15. SECURITY DEPOSIT:

The selected Licensee shall be required to deposit with the City the sum of One Thousand Dollars (\$1,000.00) as a security deposit.

16. PERMITS AND TAXES

Licensee shall be responsible for securing all required permits, license and taxes to operate on the premises. The Licensee will be responsible for direct payment of possessory interest tax, which is levied by the Los Angeles County Assessor.

Licensee selling food will be responsible for obtaining health permits from the Los Angeles County Health Department. Additionally all Licensees must hold a City of Santa Monica Business License available through the City’s Business License Division.

17. INDEMNIFICATION AND INSURANCE:

If selected, before beginning operations, Licensee shall procure and maintain at Licensee’s own expense for the duration of the agreement, the following insurance against claims for injuries to persons or damages to property which may arise from or in connection with the possession, occupancy, operation and use of the License Area by Licensee, Licensee’s agents, representatives, employees or subcontractors.

- Comprehensive/Commercial General Liability of not less than \$1,000,000 per occurrence. Accompanied by Additional Insured Endorsement form naming City of Santa Monica.
- Workers’ Compensation and Employer’s Liability. Accompanied by a waiver of subrogation.

- Property insurance against all of risks of loss to personal property at full replacement cost.

18. STORAGE:

The City provides an on-site storage area for retail vending carts as a courtesy, but is under no obligation to do so. The storage area provided has a limited space capacity, therefore not all retail carts may be able to be accommodated in this area. If the Licensee cannot be accommodated in the storage area, the Licensee will be responsible for making other storage arrangements. The City encourages the selection of carts which are compact or can be folded or partially dismantled while in storage to maximize the number of carts which can be stored on-site.

By providing access to a storage area on the Pier, the City does not assume any obligation or liability for the vending carts or its contents. Licensees who choose to store their vending cart inside Pier storage facility do so at Licensee's own risk.

Due to Los Angeles County Department of Health restrictions, the City does not provide storage for food vending carts. Food Vendors must make their own arrangements to store cart at the daily close of business in a Los Angeles County approved food commissary.

19. GENERAL CONDITIONS OF THE INVITATION FOR BIDS

1. It is the responsibility of each business or person submitting a proposal to insure that his/her proposal arrives at the specified location prior to the time indicated in the proposal.
2. The City reserves the right to reject any or all proposals or any portion thereof if deemed in the best interest of the City to do so.
3. The City also reserves the right to ascertain which products best meet its needs and requirements.
4. The City reserves the right to select any proposal as the basis for negotiations or a License, and to negotiate with respondents for amendment or other modifications to their proposals.
5. The City reserves the right to waive any irregularities and to reject any item or service not meeting its requirements and to re-negotiate with the successful Proposer(s) if necessary.
6. The City may require additional information to determine business organization, financial stability, and quality of merchandise and equipment, in the City's opinion, to conduct proper business with the City.
7. The cost of preparing responses to this Request for Proposal shall be borne by the Proposer and shall not be reimbursed by the City.

20. NON-DISCRIMINATION/EQUAL OPPORTUNITY

The License Agreement will contain a Non-Discrimination/Equal Opportunity provision that Operator shall not discriminate against any individual because of race, color, religion, national origin, ancestry, gender, sexual orientation, age, disability, or Acquired Immune Deficiency Syndrome, in connection with the License Agreement.

21. INDEPENDENT CONTRACTOR

Operator in performance of the License Agreement will be acting in the wholly independent capacity and not as agents, employees, partners, or joint ventures of the City.

22. HOW TO SUBMIT A PROPOSAL:

To be considered, all Proposers must use the Proposal Submittal Form (Exhibit A) to ensure the equitable evaluation of each proposal. In filling out this Proposal Submission Form, Proposer may, (1) replicate this format, or (2) utilize this format and fill in the appropriate information, attaching extra pages when additional space is needed. If replicated, the Proposer assumes all responsibility for ensuring that all sections and wording are replicated and all requested information is provided utilizing the required format. A submission which is incomplete may be cause for rejection of the proposal.

If proposing for more than one cart, please complete a separate Proposal Submittal Form for each cart.

23. EVALUATION CRITERIA

The following Criteria, not necessarily listed in order of importance, will be used to evaluate proposals. The City reserves the right to weigh its evaluation criteria in any manner it deems appropriate. Proposals will be judged according to a combination of criteria to include:

1. Thoroughness and completeness of proposal; responsiveness to RFP requirements.
2. Applicability and quality of proponent's experience and references.
3. Capability and feasibility (including financial feasibility) of the proposed operation and management.
4. Uniqueness and compatibility of proposed product with the Santa Monica Pier.
5. Conformance of proposed vending cart with the Vending Cart specifications.

24. LOCAL AND NON FORMULA PREFERENCES

The leasing on the Pier is subject to a preference for locally owned, independent, non-formula businesses and activities that are financially and operationally capable of providing the Preferred Uses. A formula business is that which requires by contractual or other arrangement the maintenance of standardized services, décor, uniforms, facility design and format substantially identical to another operation.

25. PROPOSAL EVALUATION COMMITTEE

An evaluation committee will review all proposals. Proposers who submit a response to this RFP may be asked to participate in an oral interview to provide an opportunity for the Proposer to clarify or elaborate on the proposal and demonstrate samples of products.

26. Disclosure Forms

Proposer is required to submit a completed Oaks Initiative Disclosure Form (Exhibit C) and State of Arizona Disclosure Form (Exhibit D).

Oaks Initiative: Under the provisions of the City of Santa Monica Taxpayer Protection Amendment of 2000 ("Taxpayer Protection Act"), the proposer, if selected, will be considered a "recipient of a public benefit." Under the Taxpayer Protection Act, City public officials who approve this license are prohibited from receiving gifts, campaign contributions or employment from contractor for a specified time (Exhibit C). This prohibition extends to individuals and entities that are specified and identified in the Taxpayer Protection Act and includes Tenant and its trustees, directors, partners, corporate officers and those with more than a 10% equity, participation, or revenue interest in the license. Proposer understands and agrees that: (A) Proposer is aware of the Taxpayer Protection Act; (B) Proposer will complete and return the forms provided by the City in Exhibit C in order to identify all of the recipients of a public benefit specified in the Taxpayer Protection Act; and (C) Proposer will not make any prohibited gift, campaign contribution or offer of employment to any public official who approved this license.

State of Arizona Disclosure Form: The City Council of the City of Santa Monica adopted Resolution No. 10479 (CCS) on May 25, 2010, which requires a review of all current and likely future agreements and contracts with Arizona-based businesses to examine the feasibility of acquiring such products and services elsewhere while the Arizona law remains in effect (Exhibit D). Please review, sign and submit the form (Exhibit D).

27. CONTACT DIRECTORY

Questions regarding the RFP and general Vending Cart operations may be directed to:

- Elana Buegoff, Office of Pier Management (310) 458-8763

Questions regarding business licenses and health permits may be directed to:

- City of Santa Monica Business License Office - (310) 458-8745
- County of Los Angeles Department of Health Services- (626) 430-5500

28. EXHIBITS:

- A. Proposal Submittal Form
- B. License Areas
- C. Oaks Initiative Disclosure Form
- D. State of Arizona Disclosure Form
- E. Santa Monica Pier Vending Cart Guidelines

This RFP, exhibits and a sample license containing the standard required terms and conditions is available on line at: www.smgov.net/cartlicense

EXHIBIT A
PROPOSAL SUBMITTAL FORM

Proposals must include this Proposal Submission Form. The Proposal Submittal Form contains the questions relating to Proposer's organization, personnel, experience and concept that would substantiate its qualifications and capabilities to perform the services required by the scope of the RFP. In filling out this Proposal Submission Form, Proposer may, (1) replicate this format, or (2) utilize this format and fill in the appropriate information, attaching extra pages when additional space is needed. If replicated, the Proposer assumes all responsibility for ensuring that all sections and wording are replicated and all requested information is provided.

If proposing for more than one cart, please complete a separate Proposal Submittal Form for each cart.

SECTION I. OPERATOR INFORMATION

Print Clearly or Type

- a) Name of Business: _____
- b) Name and Title of Representative: _____
- c) Mailing Address: _____
- d) Business Phone Number and Fax Number: _____
- e) E-Mail Address: _____
- f) Form of Organization (check one): ___ Sole Proprietorship, ___ Partnership, ___ Corporation, ___ LLC

Section II. REFERENCES

Industry References.

Please provide at least two industry references that can furnish the City information regarding organization's or individual's experience. Include contact names and phone numbers. This information will be used to evaluate each Proposer's service history.

- 1. Contact Name: _____ Tele #: _____
Brief Description of Relationship: _____
- 2. Contact Name: _____ Tele #: _____
Brief Description of Relationship: _____

Landlord Reference.

Please provide landlord reference. Include contact name and phone number and address of property lease.

- 1. Contact Name: _____ Tele #: _____
Address of Property leased: _____
- 2. Contact Name: _____ Tele #: _____
Address of Property leased: _____

SECTION III. Qualifications & Experience Statement

On a separate sheet provide detailed description of experience operating a vending cart or similar service including dates and locations of current and/or previous operations.

SECTION IV. Product Concept and Operations

On a separate sheet please describe:

- 1. The type of business you wish to operate on the Pier including a detailed list of the proposed merchandise or food you wish to sell. Please include prices of each product. You must provide photographs of your proposed product(s).

If selected, The City reserves the right to require the modification or eliminate of certain proposed items in order to limit duplication of products offered by other Pier vending carts and tenants.

- 2. Provide a list and description of equipment to be used.
- 3. Describe how sales be tracked.
- 4. Provide approach to customer service and how high standards will be maintained.

SECTION V. Financial Projection

On this sheet or on a separate sheet provide a projected Financial Pro forma showing projected revenues (sales), expenses (including rent), and net income for one year.

Sample format:

<i>Estimated Revenues</i>	Year 1
TOTAL Gross Revenues	\$

<i>Estimated Expenses</i>	Year 1
Cost of Goods:	\$
Payroll:	\$
Taxes and Insurance:	\$
License Fee (Rent):	\$
Other Operating Expenses:	\$
TOTAL EXPENSES	\$

Net Income: (total revenues minus total expenses)	\$
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SECTION VI. CART DESIGN

- 1. Please provide photographs, brochure, catalog or schematics of proposed vending cart, including cart dimensions (length, width, and height), materials, visual displays, and signage. Carts must not exceed Licensee Area described in Section 12.1.
- 2. Include cost of vending cart and name of cart manufacturer.
- 3. If cart folds to a smaller size for storage please provide 'stored' dimensions as well.

SECTION VII. FOOD CARTS (if you do not intend to sell food please skip to Section VIII.)

If you intend to sell any food product please provide the information requested in Section VI, attach a copy of a valid Los Angeles County Health Department permit, and identify the name and location of your commissary. If you do not currently have a Health Department approved cart please indicate what steps you have taken in the Health Department approval process.

SECTION VIII.

Please sign and include the Oaks Initiative Disclosure and the State of Arizona Disclosure Forms (Exhibits C and D).

Having examined and understood the terms, conditions and specifications, and being familiar with the general nature of this request for proposal, the following is hereby proposed for consideration and evaluation:

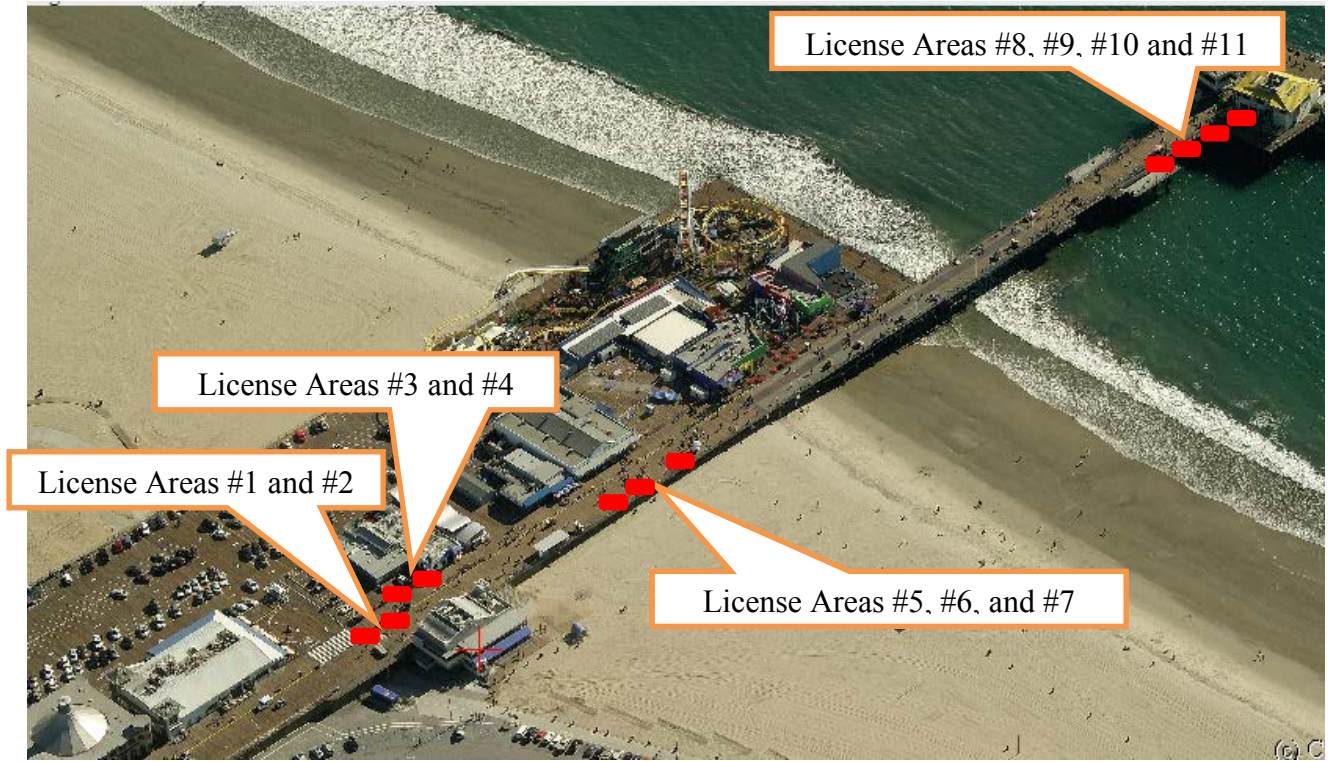
Signature Authorized Representative

Date

Print Name and Title of Authorized Representative

Five (5) copies of the proposals must be received in an envelope no later than
4 PM on December 18, 2013 to Attn: Pier Vendor
Economic Development Division, 1901 Main St., Suite E. Santa Monica, CA 90405

EXHIBIT B.
2013 Vending Cart License Areas



Map and License Areas are not to scale. License Area Locations are subject to change.

EXHIBIT C.
Oaks Initiative Disclosure Form

Oaks Initiative Notice

CITY OF SANTA MONICA

NOTICE TO APPLICANTS, BIDDERS, PROPOSERS AND OTHERS SEEKING DISCRETIONARY PERMITS, CONTRACTS, OR OTHER BENEFITS FROM THE CITY OF SANTA MONICA

Santa Monica's voters adopted a City Charter amendment commonly known as the Oaks Initiative. It prohibits a public official from receiving specified personal benefits from a person or entity after the official votes, or otherwise takes official action, to award a "public benefit" to that person or entity. Examples of a "public benefit" include public contracts to provide goods or services worth more than \$25,000 or a land use approval worth more than \$25,000.

The Oaks Initiative requires the City to provide this note and information about the Initiative's requirements. An information sheet on the Oaks Initiative is attached. You may obtain a full copy of the Initiative's text from the City Clerk.

In order to facilitate compliance with the requirements of the Oaks Initiative, the City compiles and maintains certain information. That information includes the name of any person who is seeking a "public benefit." If the "public benefit" is sought by an entity, rather than an individual person, the information includes the name of every: (a) trustee, (b) director, (c) partner, (d) officers, or (e) ten percent interest in the entity. Therefore, if you are seeking a "public benefit" covered by the Oaks Initiative, you must supply that information on the attached form (Attachment A).



(Attachment A)

City of Santa Monica
Oaks Initiative Disclosure Form

All persons or entities receiving public benefits defined below from the City of Santa Monica shall provide the names of trustees, directors, partners and officers and names of those with more than a 10% equity, participation or revenue interest. This information is required by City Charter Article XXII—Taxpayer Protection.

Name of Entity: _____

NAME(S) OF PERSONS OR ENTITIES RECEIVING PUBLIC BENEFIT:

NAME(S) OF TRUSTEES, DIRECTORS, PARTNERS, AND OFFICERS:

NAME(S) OF THOSE WITH MORE THAN A 10% EQUITY, PARTICIPATION OR REVENUE INTEREST:

Public benefits include:

- 1. Personal services contracts in excess of \$25,000 over any 12-month period;
2. Sale of material, equipment or supplies to the City in excess of \$25,000 over a 12-month period;
3. Purchase, sale or lease of real property to or from the City in excess of \$25,000 over a 12-month period;
4. Non-competitive franchise awards with gross revenue of \$50,000 or more in any 12-month period;
5. Land use variance, special use permit, or other exception to an established land use plan, where the decision has a value in excess of \$25,000;
6. Tax "abatement, exception, or benefit" of a value in excess of \$5,000 in any 12-month period; or
7. Payment of "cash or specie" of a net value to the recipient of \$10,000 in any 12-month period.

Prepared by: _____ Signature: _____

Date: _____ Title: _____

FOR CITY USE ONLY:

Bid/PO/Contract # _____ Permit # _____

EXHIBIT D.
State of Arizona Disclosure Form

NOTICE:
City Policy on Doing Business with Arizona Firms

CITY OF SANTA MONICA

NOTICE TO APPLICANTS, BIDDERS, PROPOSERS AND OTHERS SEEKING TO DO
BUSINESS WITH THE CITY OF SANTA MONICA

The City Council of the City of Santa Monica adopted Resolution No. 10479 (CCS) on May 25, 2010, which requires a review of all current and likely future agreements and contracts with Arizona-based businesses to examine the feasibility of acquiring such products and services elsewhere while the Arizona law remains in effect.

Additionally, vendors offering goods or services to the City of Santa Monica must complete and sign the attached disclosure form; this applies to all solicitations, including but not limited to, bids and proposals. Please review, sign and submit the form with your bid packet prior to the closing date of bid.

Contractors that do not have headquarters in the State of Arizona and those that will not be working with Arizona-headquartered subcontractors to provide goods and/or services as specified in this solicitation will take priority in the bidding process.

NOTE: Headquarter location or residency may not be considered as a factor if prohibited by applicable law.

Failure to return this form or inability to certify as to its provisions will render your bid or proposal non-responsive.

State of Arizona Disclosure Form - see next page.



City of Santa Monica
State of Arizona Disclosure Form

TO BE COMPLETED BY ALL VENDORS PROVIDING GOODS AND SERVICES TO THE CITY OF SANTA MONICA

Headquarter location or residency may not be considered as a factor if prohibited by applicable law.

Please check the appropriate boxes below.

Our company's headquarters are located in the State of Arizona.

Yes No checkboxes

Goods or services pertaining to this solicitation will be provided by a subcontractor whose business is headquartered in the State of Arizona.

Yes No checkboxes

If the response to the statement above was "yes", please list any and all subcontractors headquartered in the State of Arizona that may be providing goods or services (pertaining to this solicitation) to the City of Santa Monica.

If more than one, attach a list of additional subcontractors, including the physical address of each location.

Name of Subcontractor:

Street Address:

City: State: Zip Code:

*** PORTION BELOW TO BE COMPLETED BY ALL VENDORS ***

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed: Date:

Printed name: Title:

Name of Company:

Street Address of Headquarters:

City: State: Zip Code:

Telephone # (including area code): Email:

FOR CITY USE ONLY
NOTES:

EXHIBIT E.
Santa Monica Pier Vending Cart Guidelines

Santa Monica Pier Vending Cart Guidelines

Rules and Regulations

- I. INTRODUCTION
 - II. MAINTENANCE STANDARDS
 - III. ADMINISTRATION AND MANAGEMENT
 - IV. DAILY VENDING CART OPERATION
 - V. MERCHANDISING GUIDELINES
 - VI. SIGNAGE
 - VII. STAFFING
 - VIII. CART SPECIFICATION
-

I. INTRODUCTION

These guidelines set forth criteria intended to ensure highest possible quality of cart operation, maintenance, and cart design for Licensees operating under the Santa Monica Pier Vending Cart Program. The objective of such a vending cart program shall be to feature beach and Pier related merchandise, specialty retail, and food services, which provide the highest level and quality of customer service to enhance the experience of visitors to the Santa Monica Pier.

The City reserves the right to amend these guidelines as circumstances of the program warrant.

II. MAINTENANCE STANDARDS

- A. Licensee will be responsible for supplying vendor cart. The cart must be of highest quality and consistent design.
- B. Licensee is responsible for all cart maintenance. Cart must be clean, sanitary and in good working condition at all times to the satisfaction of City in its sole discretion.
- C. The area around each cart must be kept clean and free of trash. In the event that the cart causes damage to the area surrounding it, Licensee will be responsible for cleaning and finding a solution to prevent future damage. Electrical extension cords are not permitted to exceed five (5) feet from the cart. Cords are to be secured by a plastic or rubber cover to eliminate the potential tripping hazard.
- D. Licensee using heaters (pre-approved by the City or City designated Administrator) during cold weather shall have a fire extinguisher on the vending cart and shall set-up and operate heater in safe manner.

Santa Monica Pier Vending Cart Guidelines

III. ADMINISTRATION AND MANAGEMENT

- A. Licensee must obtain a business license from the City of Santa Monica. Licensee is responsible for ensuring that all required licenses and permits have been obtained and kept current, including all requirements of governmental agencies having jurisdiction over any aspect of the vending program. Copies of all permits and renewals are to be forwarded to City or its designated Administrator.

- B. Prior to acceptance into the vending cart program, each Licensee, cart and merchandise must be approved by City or City's designated Administrator. Following such approval, and prior to commencement of operation of any new vending cart, Licensee will be responsible for providing the following completed documentation to the City of its designated Administrator and, during the term of such operator's participation in the vending cart program, shall continue to keep current.
 - 1. City Business License.
 - 2. State of California re-sale license.
 - 3. Samples or information satisfactory to City of all merchandise to be sold from cart.
 - 4. County health permit as applicable.
 - 5. Any other license or permit as warranted.

- C. Licensee is responsible for providing information to the public regarding the vendor cart and merchandise and will be responsible for responding to inquiries, and complaints and distributing information. Information and responses must be made in a timely manner, in keeping with the intent of the program to provide a quality program and outstanding service. Copies of applicable written information shall be made available to City's Business License Division and the City's designate Administrator.

- D. Management of the Cart must be done in an ethical and professional manner. Licensee is solely responsible for the enforcement of cart rules and Santa Monica Pier Vendor Cart Guidelines as they pertain to individual cart operators.

- E. All products during the course of operation shall be approved in writing by the City or City designated Administrator.

- F. Licensee shall maintain and update for City a list of vending cart employees. No other person shall operate the vending cart except the Licensee and designated employees.

- G. Business checking account(s) should have the same business name as the vending cart business.

- H. Financial reports detailing monthly cart sales are to be provided to City or its designated Administrator within ten (10) days of month end. The financial reports are to include, but not be limited to, gross sales and operating expenses.

Santa Monica Pier Vending Cart Guidelines

- I. Licensee and City or its designated Administrator shall conduct regular meeting with all cart operators. Such meetings shall include a review of program operations, customer services, and merchandise presentation and standards.
- J. The merchandising of the cart must be neat, clean, fully stocked and visually pleasing in general presentation. All merchandise must be displayed on or within the carts. Licensee is responsible for ensuring displays standards are maintained. Only one (1) standard chair per cart is allowed. All signage and cart modifications must be approved by City or its designated Administrator prior to implementation.

IV. DAILY VENDING CART OPERATION

- A. Licensee may be subject to a notice to remedy for the following problems:
 - i. Opening late or closing early or failing to open the cart (without written authorization by the City or City's designated Administrator).
 - ii. Music or other sounds audible from the public path of travel.
 - iii. Leaving vending cart unattended.
 - iv. Allowing anyone other than a paid member of Licensee's staff to attend or operate vending cart.
 - v. Moving vending cart in a rapid or unsafe manner. Any accidents with pedestrians or damage to property shall be reported immediately to the City or City's designated Administrator.
 - vi. Allowing staff to move vending cart without direct supervision (Someone shall be in front of the vending cart as it is being pushed to assigned cart location).
 - vii. Failure to keep cart and space around cart in a clean and sanitary condition.
 - viii. Failure to maintain current Liability and or Worker's Compensation Insurance.
 - ix. Failure to attend Santa Monica Pier Cart Operators meetings.
 - x. Failure to comply with any requirements of the License Agreement or health, safety and welfare of the public.

In accordance with the License Agreement, violations of rules and regulations set forth in these guidelines may result in the termination of the license agreement.

V. MERCHANDISING GUIDELINES

Licensees are required to adhere to the following merchandising guidelines when creating vending cart displays:

- i. Display of merchandise shall be professionally designed and executed.
- ii. All displayed merchandise shall be visibly priced.
- iii. City or City designated Administrator will approve drawings and production of the display.
- iv. All fixtures, fabric, signage, chairs, and other decorations shall be maintained in good condition throughout the operation of the vending cart.

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- v. Merchandise shall be stored inside vending cart or presented on approved display fixtures at all times. No stored boxes, bags, or cloths are to be visible to the public.
- vi. Merchandise shall be in good condition.
- vii. Carts should be fully stocked with merchandise at all times during business hours.
- viii. Merchandise shall be presented in approved display units.
- ix. Merchandise shall be priced before placement upon the vending cart for sale.
- x. Daily preparation of merchandise and display shall not create a visual nuisance to public and surrounding businesses.
- xi. The sale of counterfeit merchandise is not permitted. Counterfeit products refer to items that are either imitations of genuine products or items made without permission of a trademark owner.
- xii. No display of merchandise shall be permitted upon vending cart roof or below counter/ shelf level of vending cart without written approval of City or City designated Administrator.
- xiii. Vending cart doors shall be closed and boxes and bags shall be off the deck while operating.

VI. SIGNAGE

Licensee is responsible for investing in a high quality sign(s) identifying name of business.

- i. Business identification sign must be located at or near cart's roof line.
- ii. Business identification sign must be produced by a professional sign company.
- iii. Maximum cart sign dimensions for business identification sign must not exceed 6" high x 48" long.
- iv. This work shall be produced to professional standards and shall be approved in writing by City or City designated Administrator prior to placement on the vending cart.
- v. Price signs and items description shall be preprinted and mounted on approved material. Handwritten signs are not permitted.

VII. STAFFING

In an effort to guarantee Pier visitors excellent service, the following staffing standards are required of all Licensees:

- i. All Licensee employees shall be neat and clean at all times and shall wear some distinctive article of apparel that identifies them as Licensee employees.
- ii. Licensee employees shall be courteous to all guests and patrons of the pier.
- iii. Licensee employees shall not while on duty use improper language, behave in a boisterous manner, emit any unduly loud or unreasonable noise, engage in any horseplay, or unbecoming or otherwise illegal or objectionable conduct or activities on the pier.
- iv. Licensees shall supervise the conduct of their employees.

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- v. Licensee shall insure that their employees understand and comply with the cart guidelines and special memos.
- vi. Licensee and staff shall be familiar with stores surrounding the Santa Monica Pier, rest room locations, ATMs and special events on the Santa Monica Pier's event calendar.
- vii. Should staff problems arise, Licensee shall be available in case of emergencies. If problem is not resolved City or City designated Administrator may exercise its discretion including closing/ securing of vending cart or require replacement of employee by the Licensee.

VIII. CART SPECIFICATION

- i. Over all cart dimensions (including displays and extendable shelves) shall not exceed 43" wide x 90" long x 84" high.
- ii. 1" welded and painted, square steel tube frame for durability and stability
- iii. 16 Ga. Painted steel side panels, doors, floor, and shelves.
- iv. 18 Ga. Painted steel canopy.
- v. Stainless steel corner trim.
- vi. Steel push handles mounted to one of the 43" sides of the cart.
- vii. 110 volt, 60 cycle, 15 amp wiring. Electrical cord must extend from the base of the unit. A duplex outlet with switch controlling the lights installed in the interior storage area. An opening, with grommet in the countertop for electrical access.
- viii. Electrical components UL listed and approved.
- ix. Heavy-duty, pneumatic wheels minimum of 2"width. Two swivel and two ridged. Brakes on all wheels.
- x. Lockable cabinet access doors.
- xi. Two color paint scheme.
- xii. Painted metal removable sign holder mounted to the cart roofline.

Any proposed modifications to cart specification must be reviewed and approved in writing by City or City designated Administrator.