

**PORT SAN LUIS HARBOR DISTRICT
REQUEST FOR PROPOSALS
FOR 2025 LICENSE TO DO BUSINESS ON DISTRICT PROPERTY**

1) KEY REQUEST FOR PROPOSALS DATES

Request for Proposals Issued:	September 3, 2024
Deadline for Submission of Questions:	September 16, 2024
Answers to Written Questions Posted on Website:	September 23, 2024
Proposals are Due:	October 2, 2024, 4:00 p.m. PST
Notification of Interviews Week of:	October 14, 2024
Finalists Interviewed Week of:	October 21, 2024
Property Committee Review:	November 7, 2024
Harbor Commission Review and Approval:	November 15, 2024

2) INTRODUCTION

Port San Luis Harbor District (District) is issuing a Request for Proposals (RFP) from businesses, organizations, or individuals that wish to conduct commercial or non-profit activities on District property.

The District manages pier and beach operations in Avila Beach, California. The District issues annual licenses to a certain number of vendors or concessionaires to operate businesses on District property. Licenses are only issued for movable vendors. A movable vendor is defined as:

“Concessionaires selling or renting beach gear (e.g., suntan lotion, beach chairs) or providing services (e.g., event planners, instructors, food truck) or other products from portable stands, carts, or other facilities that are removed from the site after business hours. A movable vendor does not have real property rights.”

Based on its evaluation of the proposals received in response to this RFP (Proposals), the District may select Respondents to enter into negotiations for an agreement substantially similar to Attachment A, 2025 Monthly Revocable License (Agreement). The agreement will allow the Respondents to sell, rent and/or perform services on District property. The Agreement, at the sole discretion of the District, may be extended for two (2) additional years without a competitive proposal process as long as the licensee meets minimum requirements as defined by the District. A licensee must be in compliance with the Agreement and abide by all District ordinances and relevant laws and regulations to be considered for extension.

There is no expressed or implied obligation for the District to reimburse Respondents for any expenses incurred in preparing proposals in response to this request.

The selection of any Respondent for negotiations shall not imply the District’s acceptance of all terms of the Respondent’s submittal; terms may be subject to further negotiation. The District shall have no obligation unless and until a final Agreement is entered into by the parties following approval by the District’s Harbor Commission. The District may terminate the Agreement at any time.

Proposals must be received by the District no later than 4:00 p.m. on Wednesday, October 2, 2024 at the following address:

Port San Luis Harbor District
 3950 Avila Beach Dr.
 P.O. Box 249
 Avila Beach, CA 93424

Responses to this RFP that are not received by the time and date specified or do not contain all the required information, including the non-refundable application fee, shall be deemed non-responsive and rejected without consideration.

Prospective Respondents may obtain copies of this RFP by visiting the District’s website at www.PortSanLuis.com or by contacting the District at 805-595-5410 or by email at admin@portsanluis.com.

3) LICENSE CAPACITY

The use of District property has experienced continual growth over the last few years. The District actively manages use by limiting the availability of licenses by areas. For 2025, the District will accept proposals for the following locations and may issue licenses based on the capacity limits:

- a) Avila Beach: **Business As Proposed**
- b) Harford Pier: **There is One (1) license that may be either Sailboat Charter or Power Vessel Tour available and One (1) additional Power Vessel Tour license.**
- c) Olde Port Beach: **One (1) license for a business that provides kayak and stand-up paddleboards.**
- d) Business As Proposed: See District Master Plan for available uses at <http://www.portsanluis.com/2149/Master-Plan>).
- e) Surf Instruction & Summer Camp **One (1) license available.**
- f) Food Vendor, including Food Trucks: **Two (2) licenses are available.**

In addition, the District will limit the number of licenses issued to “like” vendors to two.

Type of Business & Number of Licenses Available	Location		
	Beach	Landing	Other
Vessel Charter – Available (1) (Preference given to sailing vessel)	-	1 Harford Pier	-
Kayak & Stand-up Paddle Board Rentals – Available (1)	1 Olde Port Beach	-	-
Powered Vessel Tours – Available (1)	-	1 Harford Pier	-
Business as proposed- (see District Master Plan for available uses at http://www.portsanluis.com/2149/Master-Plan).	Accepting Proposals		Accepting Proposals
Surf Instruction & Summer Camp – Available (1)	1	-	-
Food Vendors – Available (2). Locations may vary i.e. Piers, parking lots, and adjacent to beach entrances.	Accepting Proposals	Accepting Proposals	Accepting Proposals

4) LICENSE PROPOSAL REQUIREMENTS

Interested businesses, organizations and individuals **are required** to submit the following information. The required information submitted should be in the order listed.

1. Title page showing the Proposal's subject; the business name; the name, address, telephone number and email of the contact person; and the date of the proposal.
2. Table of contents including a clear and complete identification of the materials submitted by section and page number.
3. Business Statement.
4. Business Plan including estimated revenues and costs for the next three years, proposed location and hours of operation.
5. Experience.
6. Listing of at least three references.
7. Certification that the person signing the proposal is entitled to represent the business or organization, empowered to submit the proposal, and authorized to sign an Agreement with the District.
8. State acceptance of standard Monthly Revocable License language or state specific objections.
9. **Non-refundable application fee of \$337.** If your business or organization meets the definition of "coastal dependent use" your non-refundable application fee is discounted to \$201.

5) RESPONDENT EVALUATION PROCESS

The District may select none or all of Respondents' Proposals. The District's Review Team will review and evaluate the Proposals. The Review Team will score the Proposals in accordance with the criteria and methodology described in this RFP. All proposals will be evaluated fairly using the following District goals as guidelines:

- i) Businesses that support coastal dependent and coastal related activities at Port San Luis Harbor District, within the terms of the Harbor District Master Plan.
- ii) Businesses that maximize the public use and enjoyment of the District.
- iii) Businesses that provide the public with quality goods and services.
- iv) Businesses that respect and protect the historical, environmental and cultural resources entrusted to the Harbor District by the people of California.

5.4 Step Four: Invitation to Present at District Harbor Commission Meeting

The District's Property Committee recommendation, Proposals, and the Review Team report shall be presented to the Harbor Commission for review, comment and final approval. The Finalists may be asked to present their Proposal at the meeting.

6) SUBMITTAL PROCEDURES

Three (3) copies of the Proposal and one (1) USB drive with the Proposal in Adobe Portable Document Format (PDF) must be received by the District no later than 4:00 p.m. on October 2, 2024 in a sealed envelope and must be clearly marked "Proposal for 2025 License," at the following address:

Port San Luis Harbor District
3950 Avila Beach Dr.
P.O. Box 249
Avila Beach, CA 93424

Or emailed to admin@portsanluis.com in Adobe Portable Document Format (PDF) and must be received by the District no later than 4:00 p.m. on October 2, 2024. Email must be clearly marked "Proposal for 2025 License".

Responses to this RFP that are not received by the time and date specified **or do not contain all the required information**, including the non-refundable application fee, shall be deemed non-responsive and rejected without consideration. **Responses to this RFP will not be opened or reviewed prior to the submittal deadline of 4:00 pm on October 2, 2024.** It is the responsibility of the Respondent to ensure all required items as listed in Section 4 License Proposal Requirements are completed and are included in the submittal.

Beginning on the date this RFP is issued and made available to prospective Respondents, there will be no communications concerning this RFP between members of the District Harbor Commission or District staff and prospective Respondents and their employees or agents, except as provided herein.

Questions about the RFP may be directed *to the District in writing*. The District will consider all questions received by the close of business on the date noted in the RFP schedule as the deadline for submission of questions and, as appropriate, respond in writing. All responses will be posted on the District website www.portsanluis.com. Any violations of the above restriction will result in the immediate disqualification of the Respondent involved from further participation in the RFP process. This restriction will end when contract award notification has been made.

Questions about the RFP may be directed in writing or by email to:

Port San Luis Harbor District
P.O. Box 249
Avila Beach, Avila Beach CA 93424
(805) 595-5404 fax
Or
Email: admin@portsanluis.com

Respondents are to promptly notify the District, in writing, if the Respondent discovers any ambiguity, discrepancy, omission, or other error in this RFP. Respondents may e-mail the District at admin@portsanluis.com to determine if Respondent has received all addenda.

7) ADDENDA

The District may modify this RFP prior to the date Proposals are due by issuing written addenda. Addenda will be posted on the District's website (www.portsanluis.com). For parties who requested a hard copy of the RFP by regular mail, addenda may be sent to them via regular, first class U.S. mail. All parties, regardless of how they obtained the RFP, are solely responsible for ensuring the receipt of any and all addenda, and should therefore check the website before submitting their Proposals to ensure receipt of all addenda, and to ensure their Proposals respond to any such addenda. Respondents may telephone the District at (805) 595-5410 to determine if Respondent has received all addenda.

8) STANDARD AGREEMENT PROVISIONS

Following negotiations, the selected Respondent(s) will be expected to enter into an agreement substantially in the form of the 2025 Monthly Revocable License, Exhibit A. Failure to execute the Agreement or make payment, or to furnish all insurance certificates and other materials required in the Agreement within five months of Harbor Commission approval, shall be deemed an abandonment of the Respondent's proposal. Amendments to the Monthly Revocable Licenses are not permitted. It is the responsibility of the respondent to fully develop their business proposal and ensure the business plan submitted contains any and all provisions necessary for the proposed business.

9) PROTEST PROCEDURES

9.1 Protest Submittal

A protest describing the nature of the disagreement must be submitted in writing to the District no later than five (5) business days following notification of proposed award.

The letter of protest shall contain a description of the protest and shall be signed and dated. Protests shall be addressed to:

Harbor Director
Port San Luis Harbor District
P.O. Box 249
Avila Beach, CA 93424

9.2 District's Decision Final

The Harbor Director shall inform the protester in writing of the decision, stating the reasons for the decision, and responding at least generally to each material issue raised in the protest. The Harbor Director's letter to the protester shall state that the protester may contact the Harbor Director to discuss the response, and the protester has the right to address the Harbor Commission on the date when the Agreements are calendared to be awarded if the Harbor Director denies the protest.

The decision of the District is final. The protester may seek a remedy in state or federal court, as appropriate, from the final action of the District.