

County of San Diego Department of Public Works, Airports

Request for Proposals/Bids

“Operate a Non-Exclusive Rental Car Concession at
McClellan-Palomar Airport in Carlsbad, California”



Proposal/Bid Due Date: **Wednesday, October 22, 2008 at 5:00 pm PT**

The date and time Proposals/Bids are due shall be strictly observed.

COUNTY OF SAN DIEGO
Department of Public Works, Airports
Gillespie Field Administration Building
1960 Joe Crosson Drive
El Cajon, California 92020

Issued August 25, 2008
Revised September 26, 2008

REQUEST FOR PROPOSALS/BIDS

“Operate a Non-Exclusive Rental Car Concession at McClellan-Palomar Airport in Carlsbad, California”

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- Offeror’s Disclosure Form
- Disadvantaged Business Enterprises Participation Form
- Acknowledgment of Review and Acceptance of Lease Terms

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TARGET TIMELINE

FOR REQUEST FOR PROPOSALS/BIDS TO MANAGE AND OPERATE A NON-EXCLUSIVE CAR RENTAL CONCESSION AT COUNTY OF SAN DIEGO'S MCCLELLAN-PALOMAR AIRPORT IN CARLSBAD, CA

<u>Description</u>	<u>Target Date for Completion</u>
Present draft RFP to Palomar Airport Advisory Committee	Aug 21, 2008
Issue the Request For Proposals	Aug 25, 2008
Pre-Proposal Conference	September 10, 2008
Deadline for Submittal of Written Questions	September 19, 2008
Pre-proposal Conference Presentation and Answers on Web	September 19, 2008
Issue Revised Request for Proposals/Bids	September 29,2008
Remaining Answers on Web	September 30, 2008
Due Date for Submittal of Proposals/Bids to County	October 22, 2008
Notify Short List and Set Up Interviews	October 24, 2008
Interview Short List Candidates	October 29-30, 2008
Final Selection of Successful Proposers	November 7, 2008
Agreements Signed	November 17 ,2008
Spaces Ready to Move In	December 1, 2008*
Open for Business	December 5, 2008*
Grand Opening - TBD	Target January 2009

*approximate dates

OPTIONAL PRE-PROPOSAL CONFERENCE

An optional pre-proposal conference is scheduled as follows:

Date and Time: Wednesday, September 10, 2008 at 3:00 p.m. PT
McClellan-Palomar Airport Administration Building
First Floor Meeting Room
2192 Palomar Airport Road
Carlsbad, California 92011

This is an optional pre-proposal meeting. The County of San Diego will have in attendance key personnel to answer questions or discuss issues that may arise regarding this Request for Proposals/Bids for up to two Non-Exclusive Rental Car Concessions at McClellan-Palomar Airport in Carlsbad, California. **The County requests that all questions be prepared prior to the pre-proposal conference and a copy of such questions be submitted to: County of San Diego, Gillespie Field Airport Administration, ATTN: Tim Caulder, 1960 Joe Crosson Drive, El Cajon, CA 92020-1236, or by email to: tim.caulder@sdcountry.ca.gov no later than Monday, September 8, 2008 (2 days prior to the day of the pre-proposal conference; however, oral questions may be accepted at the meeting and written questions will be accepted if received by County on or before September 19, 2008. A written response to all questions received within these timeframes will be posted on the County Airports' website following the meeting.**

Although this meeting is optional, attendance by your company's representative is strongly encouraged. County encourages all potential Offerors who plan on attending this pre-proposal conference to RSVP to Tim Caulder, Senior Real Property Agent, at (619) 956-4806, or by email to tim.caulder@sdcountry.ca.gov, so that we may keep you informed of any changes to this meeting should they become necessary.

INTRODUCTION

The County of San Diego, Department of Public Works, Airports ("County") is requesting Proposals/Bids from all interested and qualified Offerors desiring to operate a non-exclusive rental car concession at the new McClellan-Palomar Airport ("Airport") terminal building, which is currently under construction.

The purpose of this Request for Proposals/Bids ("RFPB") is to provide a format for the evaluation of offers from concessionaires who have the experience and qualifications necessary to meet the following objectives for a non-exclusive rental car concession at the Airport.

Objectives:

- ▶ Provide the highest quality of rental car services available through a wide selection of vehicles at good rental rates with broad customer appeal.

- ▶ Provide a high level of customer service with a balanced mix of variety and choice of vehicles, competitive pricing, friendly service that reflects positively on the community, and clean inviting facilities.
- ▶ Encourage the participation of Disadvantaged Business Enterprises (“DBEs”) wherever practicable for the non-exclusive rental car concession programs.

A Non-Exclusive Rental Car Lease Agreement may be awarded to the Offeror(s) that submit a Proposal/Bid that best meets all of the qualifications required by the County as set forth herein and offers the greatest overall benefit to the County. The County may choose to select a short list of the top-ranked Proposers who would then be asked to submit more detailed Proposals/Bids for consideration by County.

The documents contained in this Request for Proposals/Bids use the terms “Proposal/Bid” and “Offer,” and “Proposer,” “Concessionaire” and “Offeror” interchangeably.

PART 1 – SITE DESCRIPTION

The County of San Diego owns and operates eight general aviation airports. McClellan-Palomar Airport, located in Carlsbad, is a major gateway to and from San Diego’s North County (Thomas Guide page 1127, D-2). There were 215,847 airport operations during 2007. It provides facilities and services to commercial, corporate, and general aviation communities. It is home to approximately 344 based aircraft, with an estimated 52,598 commercial passengers departing from, and 49,453 commercial passengers arriving at, the terminal in 2007. The currently scheduled airlines serving McClellan-Palomar Airport may be found on the internet at the following web address: <http://www.sdcounty.ca.gov/dpw/airports/airskeds.html>.

The Palomar Airport Terminal Redevelopment Project is the result of combining 10 projects at McClellan-Palomar Airport into one integrated project, with a total construction cost estimate of approximately \$24,000,000. This integrated project includes the following: new terminal building and federal inspection facility, terminal access roads, terminal apron, vehicle parking lots, automated parking lot control systems, passenger movement facilities, airport security system, taxiway Charlie, infield drainage, and blast fence. The entire redevelopment program must be completed in one large project to allow for fully functioning facilities for aircraft parking, passenger handling and passenger access. Plans and specifications for construction are now complete and construction has commenced. The construction project is scheduled for completion in Winter 2008.

The Palomar Airport Terminal Redevelopment Project will include a fully furnished rental car concessions area (with open below-counter space) at the western end of the terminal. The building and interior build-out will be completed as part of the project. There will be two available rental car areas, each with an approximate 115 square foot

office/counter footprint featuring air conditioning, carpeting, service counter and chairs. Utilities (excepting phone and data) and janitorial services will be provided. The rental car concessions area will be adjacent to baggage claim. In addition, each selected concessionaire's lease will include an area in the lower parking lots large enough to accommodate 26 automobiles, including a 16' x 8' storage shed and a 20' x 20' covered prep area. A 110 volt electrical outlet will be accessible within about 10' of the prep area. Water will be accessible within about 120' of the prep area. The rental car concessions will have landside only access in a pre-security area of the terminal building. Selected concessionaires will not be billed for electricity or water usage.

County anticipates allowing selected concessionaires to install decals on the door and signage above or behind the counter. Selected concessionaires shall not construct nor permit the erection of any signs on the Premises without the prior written approval of the Airports Director. Selected concessionaires shall submit sketches of proposed signs to the Airports Director for approval showing size, materials, colors and location.

Please see Attachments A1-3 and B1-5 - Site Location Maps / Non-Exclusive Rental Car Area Diagrams for location maps regarding the Airport in general and detailed plans showing the layout of the proposed non-exclusive concessions location.

PART 2 – GUIDELINES AND REQUIREMENTS FOR PROPOSAL/BID SUBMITTAL

The County is looking for experienced rental car companies to operate the non-exclusive rental car concessions. Targeted customers will include passengers using McClellan-Palomar Airport, those working at the airport, visitors to Carlsbad and people from the surrounding community in need of a rental vehicle. Proposers are asked to define the type of operation that they feel will be most successful in this location based on their own knowledge and experience in the field. Additional consideration will be given to Proposals/Bids that enhance passenger/customer experience.

Please thoroughly review the materials contained in this Submittal Package. This information will guide you in the preparation of your submittal. All Proposers, including incumbents, must submit the documents required by this RFPB.

LETTER OF INTEREST/BUSINESS PLAN

This part of your submittal will be a narrative written on your letterhead. This narrative should contain the following elements. Each Proposal will be for one car rental company only. There will not be an option for dual branding under one proposal.

Who You Are

Your letter of interest should identify who you are and present a description of your experience and qualifications to operate a rental car concession at the Airport. If you represent a company or other organization, please describe the key individuals that will be involved in the project if you are ultimately selected to operate a non-exclusive rental car concession. Include brief biographical statements for these key individuals.

Your Proposal/Bid

Your narrative should continue with additional information on your Proposal/Bid to operate and manage a non-exclusive rental car concession at the Airport. Staff will review this information to determine if it meets all Minimum Qualifications (see page 12). The proposal should include information on what vehicles and services (insurance, fueling, etc.) you intend to provide. Your Proposal/Bid should address all points in the Minimum Qualifications.

Why You and Your Concept Would Be Good for McClellan-Palomar Airport

Please describe why you think your Proposal/Bid would be good for the Airport. Please describe any unique benefits of your Proposal/Bid. Also, include concepts for marketing or events at the Airport to attract aviation customers.

Relevant Experience/Projects

Please describe your relevant past or current experience that qualifies you and/or your organization to succeed in operating a non-exclusive rental car concession.

NON-REFUNDABLE PROPOSER'S FEE

As a show of good faith interest in this Request for Proposals/Bids, Offeror shall submit a non-refundable Proposer's Fee of \$500.00, with the completed Proposal/Bid Package.

PROPOSER'S QUESTIONNAIRE

In addition to the above documents, please complete the enclosed Proposer's Questionnaire. This is a very important part of your submittal for purposes of evaluating your qualifications. The first part of this questionnaire deals with personal information about you, and members of your organization. Please complete the appropriate sections that apply to you and your organization (i.e. sole proprietorship, partnership, corporation, or limited liability company). Please provide the business references requested. Please fill in the requested financial data completely, and attach the required forms or exhibits. In the sections dealing with your proposed method of operation and experience statement, you may refer to your narrative if the information requested has been provided there.

The submittal of a complete and detailed Proposer's Questionnaire will enable County Airports staff to evaluate your qualifications in the best possible light. Please note that the confidentiality of the information you submit cannot be guaranteed because, under the Freedom of Information Act, all government records are potentially accessible by the public. This fact notwithstanding, County Airports staff will, within the legal limits of its administrative control, strive to protect the confidentiality of all personal and financial information submitted in connection with this RFPB, and will use this information only for the purposes intended.

AIRPORT LEASE ECONOMIC TERMS FORM

The Proposer should propose economic terms for a Lease by completing the attached Airport Lease Economic Terms Form. The County shall not be responsible for any fees

associated with the issuance of any required permits directly tied to operating a non-exclusive rental car concession. The selected Proposer(s) (Lessee(s)) will be responsible for all fees and taxes associated with the operation and management of a non-exclusive rental car concession.

LEASE TERM

The term of the agreement will be for seven years.

OFFEROR'S DISCLOSURE FORM

In addition, Proposer shall be required to complete and submit, as part of the Proposal/Bid package, the Offeror's Disclosure Form which is attached hereto.

DISADVANTAGED BUSINESS ENTERPRISES GENERAL INFORMATION

The County of San Diego may be required to establish an Airport Concession Disadvantaged Business Enterprise ("ACDBE") program for McClellan-Palomar Airport, and as part of its federally approved FAA ACDBE Program, and in accordance with 49 CFR Part 23, will include a Disadvantaged Business Enterprise ("DBE") participation goal for rental car concessions.

Based on the nature of the services to be provided by the successful Offeror regarding this RFPB, the County of San Diego has determined that a race-neutral measure (refer to Part 6 Disadvantaged Business Enterprises Participation Form included in this RFPB) will be a part of this RFPB, in accordance with 49 CFR Part 26.51(b). The successful Offeror is, therefore, strongly encouraged to make a good faith effort to promote DBE participation in the rental car concession by using the services of Small Business Enterprises (SBE)/ Women Business Enterprises (WBE)/ and certified DBE's whenever practicable. Race-neutral measure means a program that is, or can be, used to assist all small businesses. For purposes of this section, race-neutral includes gender-neutrality.

The concession Lease Agreement(s) resulting from this RFPB may be subject to the requirements of the U.S. Department of Transportation's regulations, 49 CFR Part 23. The successful Offeror(s) agree(s) that they will not discriminate against any business owner because of the owner's race, color, national origin, or sex in connection with the award or performance of any concession agreement, management contract, or subcontract, purchase or lease agreement, or other agreement covered by 49 CFR Part 23.

The successful Offeror(s) agree(s) to include the above statements in any subsequent concession sublease or contract covered by 49 CFR Part 23, that they enter into and shall cause those businesses to similarly include the statements in further agreements.

DISADVANTAGED BUSINESS ENTERPRISES PARTICIPATION FORM

On the attached Disadvantaged Business Enterprises Participation Form (included in this RFPB), describe the extent of DBE participation in the areas of responsibility pertaining to the operation of Offeror's proposed rental car concession. DBE

participants may include joint ventures, limited liability companies, partners, sublessees, and licensees.

Attach to your Proposal/Bid a Disadvantaged Business Enterprises Participation Form for each DBE included in your Proposal/Bid and copies of all agreements, subleases, or other documentation, actual or proposed, which is the basis for the business relationship between Offeror and DBE participants. **NOTE: Offerors are required to take all necessary and reasonable steps to encourage the participation of Disadvantaged Business Enterprises wherever practicable, as explained in the preceding section of this RFPB (DBE General Information).**

ACKNOWLEDGMENT OF REVIEW AND ACCEPTANCE OF LEASE TERMS

Proposer shall be required to complete and submit, as part of the Proposal/Bid package, the Acknowledgment of Review and Acceptance of Lease Terms Form which is attached hereto. A copy of the Proposed Non-Exclusive Rental Car Lease Agreement has been included as an attachment to this RFPB package. The selected Proposer will be expected to sign this agreement without material changes. If there are some non-material changes requested by selected Proposer that are acceptable to the County, the same change(s) will be offered as an option to the other selected Proposer.

PART 3 – SELECTION PROCESS AND MINIMUM QUALIFICATIONS

Selection Process

County Airports staff will review all Proposals/Bids, conduct reference checks, and make any necessary follow up inquiries to determine that submitted proposals/bids meet the minimum requirements. Staff may select up to two Proposers to issue an Airport Non-Exclusive Rental Car Lease Agreement, or the County may reject all Proposals/Bids. County reserves the right to select a short-list of top-ranked Proposers, based on the initial response, and to request from those Proposers more detailed Proposals/Bids before making a selection of the successful Proposer(s), if any.

The County may schedule and conduct oral interviews and receive presentations from the top-ranked (short-listed) Proposers in order to ensure the selected Proposer(s) meet all Minimum Qualifications. The oral presentations/interviews, should they be necessary, will be held during October 29-30, 2008. Failure to appear for an interview may be grounds for disqualification from further consideration. The County reserves the right to award lease agreements without holding oral presentations/interviews, should the selection panel find this step unnecessary.

The decision on selection or rejection will be made by November 7, 2008 unless additional time is required. If additional time is required, the Proposers will be notified of the County's need for additional time.

This RFPB does not commit the County to award a Lease or Leases, to pay any costs incurred in the preparation of Proposals/Bids, or to procure or contract for services or supplies. The County reserves the right to accept or reject any and all Proposals/Bids

received as a result of the RFPB, to negotiate with any experienced and qualified Proposers, and to modify or cancel in part or in its entirety this RFPB if it is in the best interest of the County.

Basis for Selection

The successful Proposer(s), if any, will be selected from those Proposers who meet the Minimum Qualifications as set forth below. The basis for selection shall be the total annual revenue to the Airport as determined by combining the Minimum Base Monthly Rent (MBMR) and Minimum Annual Guarantee for Percentage Rent (MAG) as submitted on the Airport Lease Economic Terms Form. In the event that multiple qualified Proposals/Bids have equal combined annual economic terms, the County reserves the right to select based on subjective qualities above and beyond the Minimum Qualifications, including, but not limited to, those identified under Tie Breakers (page 13).

Minimum Qualifications

To ensure the selected operators are qualified to provide an acceptable standard of service the following Minimum Qualifications of service have been established:

Experience – Proposer will have a minimum of five years experience operating a Rental Car Business, with at least two years experience operating at an airport.

Customer Service – Proposer has a goal to provide excellent Customer Service with staff/procedures in place to address problems. Operator shall have a reservation line and website, which customers can use for pricing and reservations.

Hours – The rental car concession shall be open a minimum of eight (8) hours daily, and must be open a minimum of 360 days each year.

Opening – Proposers can be open for business by December 2008.

Credit Cards – Proposers shall accept four major national credit cards.

Records – Selected Proposers must keep auditable records of sales either on site or elsewhere within the County of San Diego. If they are selected, Proposer agrees that all required sales reports will be submitted to County in accordance with the Lease Agreement.

Services – Proposers must offer a variety of vehicles for rent, including economy, mid-size, luxury, minivan, and SUV. Some fuel efficient options will be available.

Pricing – Pricing must be comparable to renting similar cars at other locations in the region.

Marketing – Proposers shall have a marketing campaign which will include print ads, website and other media.

Staff – Proposers will use trained staff and have an established training program.

ADA – Proposers will have vehicles available for reservation to accommodate ADA customers.

Planning – Proposers will have completed financial analysis and set pro forma goals for this location.

Financial – Operator must demonstrate a strong credit history and financial strength.

Disadvantaged Business Enterprise – A Disadvantaged Business Enterprises Participation Form, or similar form used by your company, must be completed and signed by Offeror or Offeror's Proposal/Bid will be disqualified.

Tie Breakers

Although these items are not required, they will be considered in case multiple qualified proposals have equal economic terms. They may also be used to establish which operator gets first selection of premises if economic terms for both selected proposals are equal. These points should also be addressed in proposals:

- Extended hours of service beyond minimum standard (8 hours-360 days a year)
- Pre-proposal Conference Attendance
- Hybrid or green vehicles available for rent
- Qualifications above minimum in areas listed under Minimum Qualifications

PART 4 – AIRPORT NON-EXCLUSIVE RENTAL CAR LEASE AGREEMENT

Proposed Airport Non-Exclusive Rental Car Lease Agreement

If a Proposal/Bid is selected through this RFPB process, the successful Proposer agrees to accept the terms of the attached Airport Non-Exclusive Rental Car Lease Agreement. County may, at County's sole discretion, consider modest changes to the Lease document as requested by Proposer on the Acknowledgment of Review and Acceptance of Lease Terms Form to be submitted as part of this RFPB package. If there are some non-material changes requested by selected Proposer that are acceptable to the County, the same change will be offered as an option to the other selected Proposer.

Proposed Non-Exclusive Rental Car Lease Agreement

This RFPB package includes a proposed Airport Non-Exclusive Rental Car Lease Agreement. It is the Proposer's responsibility to determine if any additional permits are necessary for the operation of the rental car concession. The County shall not be responsible for any fees associated with the issuance of any required permits directly tied to designing, developing, or operating the rental car concession. Additionally, the selected Proposer(s) for the rental car facilities will be responsible for all fees and taxes associated with the day-to-day operation and management of the rental car concession(s). In addition, note the insurance requirements in the lease which will be the responsibility of the selected Proposer(s).

The proposed Non-Exclusive Rental Car Lease terms shall not be construed as a binding agreement until transferred to a formal, written contract and approved by either the County Board of Supervisors or County Lease Administrator.

PART 5 - SUBMITTAL

Proposals/Bids must be submitted in a format following the outline of this RFPB and must include all of the required elements as described below and in the following section (PART 6 – Submittal Checklist and Required Proposal/Bid Forms). Proposals/Bids presented in any other format will be considered non-responsive and will be rejected. The Proposal/Bid must be signed with the name and title of the person duly authorized to sign the offer. Proposals/Bids received after the time fixed for receiving them will not be considered. Late Proposals/Bids will be returned to the Proposer unopened.

Each Proposal/Bid shall be delivered to San Diego County Airports, Gillespie Field, Real Property Department, 1960 Joe Crosson Drive, El Cajon, CA 92020-1236, ATTN: Lee Ann Lardy, on or before 5:00 pm PT, on Wednesday, October 22, 2008. The Proposal/Bid documents submitted shall be enclosed in a sealed envelope bearing the RFPB title (i.e., Request for Proposals/Bids, "Operate a Non-Exclusive Rental Car Concession at McClellan-Palomar Airport in Carlsbad, California"), and the

name and location of the place of business of the Proposer. It is the sole responsibility of the Proposer to see that the Proposal/Bid is received on time.

Summary for Submitting a Proposal/Bid

Proposals/Bids will be submitted on the forms provided with this RFPB. Each submittal **must** contain the following completed documents:

- Letter of Interest/Business Plan
- Non-refundable Proposal/Bid Fee of \$500.00
- Proposer’s Questionnaire
- Airport Lease Economic Terms Form
- Offeror’s Disclosure Form
- Disadvantaged Business Enterprises Participation Form
- Acknowledgment of Review and Acceptance of Lease Terms

Proposals/Bids are due by 5:00 pm PT, on Wednesday, October 22, 2008, and must be delivered to:

COUNTY OF SAN DIEGO – AIRPORTS
1960 Joe Crosson Drive
El Cajon, CA 92020-1236
Attn: Lee Ann Lardy

Recommendation for Award or Rejection of Proposals/Bids

The County of San Diego reserves the right to reject any and all Proposals/Bids and to waive any formality in the Proposals/Bids received. Airports staff will review all Proposals/Bids and: (i) select a successful Proposer, (ii) select a short list of top ranked Proposers and request more detailed Proposals/Bids from those candidates, (iii) reject all Proposals/Bids, or (iv) negotiate outside this competitive process if a sufficient number of qualified, responsive Proposals/Bids are not received. Following selection of successful Proposers, if any, Airports staff will execute a non-exclusive Airport Rental Car Lease with each successful Proposer, contingent upon approval by either the County Board of Supervisors or County Lease Administrator.

Selection without Discussion

Proposers are cautioned that any selection hereunder may be effected without discussion. Each Proposer should present its best offer to County Airports.

Withdrawal of Proposals/Bids

Any Proposer may withdraw its offer by written request at any time prior to the selection of the successful Proposer(s) by Airports staff.

PART 6 – SUBMITTAL CHECKLIST / REQUIRED PROPOSAL/BID FORMS

All forms described or provided in this Part 6 must be completed in full and submitted with each Proposal/Bid.

OFFEROR’S CHECKLIST

Checklist of items to be completed and submitted with Proposal/Bid. The following forms and questionnaires are to be completed in full, fully executed, signed, and included as part of the Proposal/Bid you submit:

- Letter of Interest/Business Plan
- Non-refundable Proposal/Bid Fee of \$500.00
- Proposer’s Questionnaire
- Airport Lease Economic Terms Form
- Offeror’s Disclosure Form
- Disadvantaged Business Enterprises Participation Form
- Acknowledgment of Review and Acceptance of Lease Terms

LETTER OF INTEREST / BUSINESS PLAN

See description of what is to be contained in this document in PART 2 of this RFPB (GUIDELINES AND REQUIREMENTS FOR PROPOSAL/BID SUBMITTAL) above.

NON-REFUNDABLE PROPOSAL/BID FEE OF \$500.00

Payment may be made in the form of check or money order only. County Airports cannot accept credit card payment. Please do not remit cash. Make check or money order payable to County of San Diego, Airports and reference CRQ Rental Car RFPB fee on the check stub. Remit payment at the time of submitting Proposal/Bid.

PROPOSER’S QUESTIONNAIRE

The Proposer must complete and submit part A1, A2, or A3 of the following Proposer’s Questionnaire as applicable to their business (Sole Proprietorship/Small Business/Trust, Limited Liability Company, or Corporation) and Proposer shall also complete and submit parts B, C, D, and E and sign the statement where indicated.

Completion of this Proposer’s Questionnaire is necessary to provide County staff with sufficient information about the Proposer to make a considered recommendation to either the County Board of Supervisors or the County Lease Administrator.

PROPOSER'S QUESTIONNAIRE

PART A.1

(TO BE COMPLETED BY SOLE PROPRIETORSHIP / SMALL BUSINESS / TRUST)

Completion of this Proposer's Questionnaire is necessary to provide County staff with sufficient information about the Proposer to make a considered recommendation to the County Board of Supervisors.

A Non-Exclusive Rental Car Lease Agreement at McClellan-Palomar Airport in Carlsbad, California, shall not be considered until all the information requested in this Questionnaire is received. Statements must be complete and accurate. Omission, inaccuracy, or misstatement shall be cause for rejection.

Name of Proposer exactly as it will appear on the Lease: 1.	
Full Name and other Names or Aliases of Proposer: 2.	
Telephone: 3.	
Business Address: 4.	
Email 5.	
Business Phone: 6.	Business Fax: 7.
Present Position or Title: 8.	

PROPOSER'S QUESTIONNAIRE
PART A.2
(TO BE COMPLETED BY LIMITED LIABILITY COMPANY - LLC)

Completion of this Proposer's Questionnaire is necessary to provide County staff with sufficient information about the Proposer to make a considered recommendation to the County Board of Supervisors. **A Questionnaire must be provided for each member of the LLC.**

A Non-Exclusive Rental Car Lease Agreement at McClellan-Palomar Airport in Carlsbad, California, shall not be considered until all the information requested in this Questionnaire is received. Statements must be complete and accurate. Omission, inaccuracy, or misstatement shall be cause for rejection.

Name of LLC exactly as it will appear on the Lease: 1.	
Full Name and other Names or Aliases of Member: 2.	
Telephone: 3.	
Business Address: 4.	
Emails 5.	
Business Phone: 5.	Business Fax: 6.
Present Position or Title: 8.	

PROPOSER'S QUESTIONNAIRE
PART A.2 *continued*
(TO BE COMPLETED BY LIMITED LIABILITY COMPANY - LLC)

LIMITED LIABILITY COMPANY STATEMENT

- 1. State of Filing: _____
- 2. Date of Filing with Secretary of State: _____
Enclose copy of filing and any operating agreement or supporting documentation.
- 3. Has the LLC transacted business in the County of San Diego, California?
Yes () No () If yes, state most recent date: _____

4. Name, address and title(s) of the manager(s), if any:

<u>Name</u>	<u>Address</u>	<u>Title(s)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. Name, address and share of each member:

<u>Name/Title(s)</u>	<u>Address</u>	<u>Share %</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

PROPOSER'S QUESTIONNAIRE
PART A.3
(TO BE COMPLETED BY CORPORATION)

Completion of this Proposer's Questionnaire is necessary to provide County staff with sufficient information about the Proposer to make a considered recommendation to the County Board of Supervisors. **A Questionnaire must be provided for each corporate officer (President, Vice-President, Secretary, and Treasurer) and for each Director holding 10% or more of the issued stock.**

A Non-Exclusive Rental Car Lease Agreement at McClellan-Palomar Airport in Carlsbad, California, shall not be considered until all the information requested in this Questionnaire is received. Statements must be complete and accurate. Omission, inaccuracy, or misstatement shall be cause for rejection.

Name of Corporation exactly as it will appear on the Lease: 1.	
Full Name and other Names or Aliases of Officer () and/or Director (): 2.	
Telephone: 3.	
Business Address: 4.	
Email 5.	
Business Phone: 6.	Business Fax: 7.
Present Position or Title: 8.	

PROPOSER'S QUESTIONNAIRE
PART A.3 continued
(TO BE COMPLETED BY CORPORATION)

CORPORATION STATEMENT

1. State of incorporation: _____
2. Date of incorporation: _____
3. Is the corporation authorized to do business in the State of California?
 Yes () No () If yes, as of what date: _____
4. The corporation is held: Publicly () Privately ()
5. If publicly held, how and where is the stock traded? _____

6. List the following:

	Authorized	Issued	Outstanding
(a) No. of Voting Shares:	_____	_____	_____
(b) No. of Non-voting Shares:	_____	_____	_____
(c) No. of Shareholders:	_____	_____	_____
(d) Value per share of Common Stock:			
Par \$	_____		
Book \$	_____		
Market \$	_____	As of	____ / ____ / ____

7. Name, address and share of each member:

<u>Name/Title(s)</u>	<u>Address</u>	<u>Share %</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

REFERENCES
PART B
(TO BE COMPLETED BY ALL PROPOSERS)

List four persons or firms with whom the Proposer has conducted business transactions during the past three years. At least two of the references named are to have knowledge of the Proposer's debt payment history. At least one reference must be a bank or lending institution with which the Proposer is presently conducting business.

REFERENCE NO. 1

Name: _____ Telephone: _____

Firm: _____

Title: _____

Address: _____

Nature and magnitude of purchase, sale, loan, business association, etc.:

REFERENCE NO. 2

Name: _____ Telephone: _____

Firm: _____

Title: _____

Address: _____

Nature and magnitude of purchase, sale, loan, business association, etc.:

REFERENCE NO. 3

Name: _____ Telephone: _____

Firm: _____

Title: _____

Address: _____

Nature and magnitude of purchase, sale, loan, business association, etc.:

REFERENCE NO. 4

Name: _____ Telephone: _____

Firm: _____

Title: _____

Address: _____

Nature and magnitude of purchase, sale, loan, business association, etc.:

AIRPORT LEASE ECONOMIC TERMS FORM

The Proposer should propose economic terms for a Lease. The County shall not be responsible for any fees associated with designing, developing, and operating the rental car facility, or the issuance of any required permits directly tied to designing, developing, or operating the rental car concession. The selected Proposer(s)/Lessee(s) will be responsible for all fees and taxes associated with the day-to-day operation and management of the rental car concessions.

Fee Proposal/Bid:

Minimum Base Monthly Rent (MBMR)

Please propose a Minimum Base Monthly Rent (MBMR) for a Lease in the event you are selected as a successful Proposer. The MBMR for each month must meet or exceed \$2,000.00, which covers space rental and charges for the furnished air conditioned office, electricity or water usage, 20' x 20' covered (awning) prep area, 16' x 8' storage shed or 26 rental car spaces. This MBMR will not apply towards the Minimum Annual Guarantee for Percentage Rent.

Minimum Proposed: \$ _____ per Month
 Minimum \$2,000 per month

Minimum Annual Guarantee for Percentage Rent (MAG)

In addition to the MBMR (base rent) described above, County is seeking to receive 10% of gross revenues generated by the non-exclusive rental car concessions based on the definition of Gross Revenues set forth in the attached Proposed Airport Non-exclusive Rental Car Lease Agreement (as summarized below).

Please propose MAG below based on the definition of Gross Revenues set forth in the attached Proposed Airport Non-exclusive Rental Car Lease Agreement (as summarized below). The MAG must meet or exceed a minimum amount of \$75,000. MBMR will not apply towards MAG.

In the case that there is no public airline service at McClellan Palomar Airport, the MAG will be temporarily reduced to 60% of current MAG until a new airline service starts, at which point the full MAG will again be applicable.

Minimum Annual Guarantee: \$ _____ per Year
 Minimum \$75,000 per year

Summary of Gross Revenues Definition

Gross Revenues shall include, but shall not be limited to, all revenues received or derived from the following: (1) the rental or sale of goods and services under this Agreement, including, but not limited to, time and mileage or rental charges, fees for insurance coverage, fees for rental of equipment, any additional fees charged to Customers, and the value of coupons and vouchers purchased by corporations and

four companies, either in advance or invoiced after use, if the rental charges are not shown on the actual closed Rental Agreement; (2) the contracting for, delivering, picking up, or renting of Rental Cars from Airport property, regardless of ownership, area, fleet, or location assignment and without regard to the manner in which, or place at which, the Rental Cars are ordered or furnished or where the Rental Cars are returned, and without regard to duration, or of where, how, or by whom payment is made; and (3) a transaction in which a Rental Car is exchanged elsewhere when the Rental Car was originally contracted for, delivered, supplied, or rented at the Airport.

Gross Revenues shall not be reduced by bank charges, uncollected or uncollectible credit accounts, charges made by collection agencies, bad debt losses, or any commission or other amount paid out or rebated by the Concessionaire to travel agents or others with respect to any rental or sale of goods or services.

The following are the only exclusions to the definition of Gross Revenues: (1) any taxes now or hereinafter levied or imposed by any local, state, or federal law which are separately stated on the Rental Agreement and paid by the Customer and which are directly payable to the taxing or tax collecting authority by the Concessionaire; (2) any sums received by the Concessionaire as compensation for damage to Rental Cars or other property of the Concessionaire or for loss, conversion, or abandonment of such Rental Cars; (3) any sums received from the disposal of furniture, fixtures, equipment, and Rental Cars; (4) any sums received from a Customer for reimbursement of impound fees, towing fees, and parking tickets; and (5) corporate discounts or rebates, but only to the extent that Concessionaire provides auditable proof to the County that the discounts or rebates are specifically attributable to rental agreements with customers at the Airport.

See Article 4 of the Proposed Airport Non-exclusive Rental Car Lease Agreement attached hereto for full definition of Gross Revenues.

OFFEROR'S DISCLOSURE FORM

GENERAL INFORMATION. The Offeror hereby certifies that all statements and all answers to questions herein are true and correct to the best of its knowledge and belief. Statements must be complete, accurate and in the form requested. County reserves the right to confirm and request clarification of all information provided. Incomplete disclosures may deem Offeror's Proposal/Bid to be non-responsive by County, and the Proposal/Bid may be rejected and returned.

Offeror Name: _____

Address: _____

City: _____ **State:** _____ **ZIP:** _____

Telephone No.: () _____ **FAX Number:** () _____

E-Mail Address: _____

Disclose the name of each officer, director, principal, and owner of each proposing entity and/or shareholder who owns or controls five percent (5%) or more of the business entity. This page may be photocopied if additional space is required. The individuals listed below are disclosed as having the noted relationship with the business entity/Offeror listed above. Show appropriate letter in the box to the left.

KEY:	A=Officer	E=Controller of 5% or more of stock
	B=Director	F=Spouse
	C=Principal	G=Child under the age of 18
	D=Owner	

- | | | | |
|-----------------------------|-------|------------------------------|-------|
| 1. <input type="checkbox"/> | _____ | 7. <input type="checkbox"/> | _____ |
| 2. <input type="checkbox"/> | _____ | 8. <input type="checkbox"/> | _____ |
| 3. <input type="checkbox"/> | _____ | 9. <input type="checkbox"/> | _____ |
| 4. <input type="checkbox"/> | _____ | 10. <input type="checkbox"/> | _____ |
| 5. <input type="checkbox"/> | _____ | 11. <input type="checkbox"/> | _____ |
| 6. <input type="checkbox"/> | _____ | 12. <input type="checkbox"/> | _____ |

CERTIFICATION: I hereby certify that the information which I have provided on this form is true and correct, that I am authorized to sign on behalf of the business set out above, and if requested by the County, will provide, within ten (10) days of notice, the necessary documents to substantiate the information provided on this form.

Name: _____ **Title:** _____

(CORPORATE SEAL)

Dated: _____

DISADVANTAGED BUSINESS ENTERPRISES PARTICIPATION FORM

A. **SUBMIT** this form with your Proposal/Bid.

B. **INSTRUCTIONS:**

1. This form **must** be completed, signed and submitted by **all** Offerors including incumbents with their Proposal/Bid to operate a non-exclusive rental car concession at McClellan-Palomar Airport. Offerors must make good faith efforts to encourage Disadvantaged Business Enterprises (DBE's) to participate in the non-exclusive rental car concession that is the basis of this RFPB. The Offeror can meet this requirement in one of three ways: **First**, if the Offeror is itself a certified DBE; **second**, documenting commitments for participation by certified DBE firms; or **third**, documenting good faith efforts.
2. In the event the Offeror qualifies as a DBE as defined below, please provide DBE Certificate or Control Number (DBE Part 1 below).
3. All addresses provided must be complete street addresses. Post Office box numbers shall not be considered. All phone numbers provided must be current.
4. Submit supplemental pages if the number of entries provided under each item of information is insufficient.

C. **DISADVANTAGED BUSINESS ENTERPRISES (DBE)** means a for-profit small business concern that is at least fifty-one percent (51%) owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which fifty-one percent (51%) of the stock is owned by one or more such individuals; and whose management and daily business operation are controlled by one or more of the socially and economically disadvantaged individuals who own it and has been duly certified in the state in which they do business.

D. **GOOD FAITH EFFORTS** means efforts to encourage participation by DBE's to the greatest extent practicable or to meet any requirement of an established DBE program, which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirements. Evidence of good faith efforts include the names, addresses and current telephone numbers of DBE's that were considered, and evidence as to why agreements could not be reached for DBE's to participate in the program.

E. **THE SAN DIEGO METROPOLITAN AREA** means the following California Counties: San Diego, Imperial, Orange, Riverside, and San Bernardino **for purposes of this form only.**

F. **A DBE PARTICIPANT** is a business that has a direct area of responsibility in the operation of a non-exclusive rental car concession.

PART I – OFFEROR ITSELF IS A DBE

If Offeror is a DBE, please provide your DBE Certificate/Control No.: _____

PART II – OFFEROR OBTAINED DBE PARTICIPATION

FOR EACH DBE PARTICIPANT, PROVIDE THE FOLLOWING INFORMATION CONTAINED IN SECTIONS 1 THROUGH 7 OF THIS FORM (use additional sheets as necessary)

1. DBE Participant Name: _____
Street Address: _____
City: _____ State: _____ Zip: _____
Telephone No. (____) _____ Fax No. (____) _____
Email Address: _____ DBE Certificate/Control No.: _____

2. Describe the business relationship between the Offeror and the DBE Participant:
____ Partnership _____ Joint Venture
____ Sublessee _____ Limited Liability Company (LLC)
Other _____
Date of formation of the business relationship with DBE Participant: _____

NOTE: Attach to this DBE Form, the agreement, sublease or other documentation (actual or proposed) that is the basis for the business relationship between Offeror and the DBE Participant.

3. Area of direct responsibility of the DBE Participant for the management, and operation of the rental car concession if your Proposal/Bid is accepted: _____

4. The type of business experience that will be provided by the DBE Participant: _____

5. Names, street addresses, and current phone numbers of all businesses operated by the DBE Participant in the San Diego Metropolitan Area:

DBE Participant's Business Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone No. (____) _____ Fax No. (____) _____

Email Address: _____

6. Names, residential addresses, and current phone numbers for each owner of the DBE Participant that is domiciled and resides in the San Diego Metropolitan Area. Please indicate percent of ownership:

Owner's Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone No. (____) _____ Fax No. (____) _____

7. Names, addresses, and current phone numbers for all business entities other than individuals listed above with an ownership interest in the DBE Participant. Please indicate percent of ownership:

Business Entities w/ Ownership Interest: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone No. (____) _____ Fax No. (____) _____

Email Address: _____ Percentage Ownership: _____

PART III – OFFEROR’S GOOD FAITH EFFORTS TO OBTAIN DBE PARTICIPATION

FOR EACH DBE CONTACTED BUT WHO WAS UNABLE TO PARTICIPATE, PROVIDE THE FOLLOWING INFORMATION (use additional sheets as necessary):

Name of DBE Entity: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone No. (____) _____ Fax No. (____) _____

Type of Business Operated: _____

Contact: _____ DBE Certificate/Control No.: _____

Reason this entity was unable to participate: _____

Name of DBE Entity: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone No. (____) _____ Fax No. (____) _____

Type of Business Operated: _____

Contact: _____ DBE Certificate/Control No.: _____

Reason this entity was unable to participate: _____

Name of DBE Entity: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone No. (____) _____ Fax No. (____) _____

Type of Business Operated: _____

Contact: _____ DBE Certificate/Control No.: _____

Reason this entity was unable to participate: _____

CERTIFICATION: I hereby certify that the information which I have provided on this form is true and correct, that I am authorized to sign on behalf of the business set out above and if requested by the County will provide, within ten (10) days of notice, the necessary documents to substantiate the information provided on this form.

Name: _____ **Title:** _____

(CORPORATE SEAL)

Dated: _____

ACKNOWLEDGMENT OF REVIEW AND ACCEPTANCE OF LEASE TERMS

GENERAL INFORMATION. The Proposer hereby certifies that it has thoroughly reviewed the attached Proposed Airport Non-Exclusive Rental Car Lease Agreement and that, in the event it is selected as a successful Proposer, it will accept the terms of the proposed lease with the following exceptions:

Please note that the following sections of the Proposed Airport Non-Exclusive Rental Car Lease Agreement will not be subject to change at the request of Proposer: Possession and Use, Security, Environmental and ALP Compliance, Indemnification and Insurance, Hazardous Materials, Nondiscrimination, Affirmative Action Program, and Waiver of Relocation Assistance Benefits.

Accepted changes will be for clarity and ministerial reasons only. Terms will not be changed in any way that impact economic terms. Any changes the County accepts from one selected Proposer will also be offered to the other selected Proposer as an option.

The proposed Airport Non-Exclusive Rental Car Lease terms shall not be construed as a binding agreement until transferred to a formal, written contract and approved by the County Board of Supervisors or the County Lease Administrator.

CERTIFICATION: I hereby certify that the information which I have provided on this form is true and correct, that I am authorized to sign on behalf of the business set out above and if requested by the County will provide, within ten (10) days of notice, the necessary documents to substantiate the information provided on this form.

Name: _____ **Title:** _____

(CORPORATE SEAL)

Dated: _____