



CITY OF KYLE, TEXAS REQUESTS FOR PROPOSAL (RFP)
KYLE FAIR FIREWORKS: RFP-2023-04-PARD

SPECIFICATIONS AND GENERAL PROPOSAL REQUIREMENTS FOR THE KYLE FAIR FIREWORKS SHOW FOR THE
CITY OF KYLE

NOTICE TO RESPONDERS:

The City of Kyle is accepting proposals to provide all related services, parts, permits, equipment and labor required to do the Kyle Fair Fireworks show on May 20, 2023 at Lake Kyle Park as Stated in this RFP and posted on our website: www.cityofkyle.com. Proposals marked **FIREWORKS: RFP-2023-04-PARD** are to be submitted to:

Mariana Espinoza
City of Kyle, Director of Parks and Recreation
700 Lehman Rd Kyle, TX 78640
(512) 262-3939

REQUEST FOR PROPOSAL DEADLINE: 5:00 PM, WEDNESDAY, JANUARY 4, 2023

All proposals received will be reviewed by City Staff. The staff's recommendation will go to the Kyle City Council for final approval.

Proposals should be clearly marked, "FIREWORKS: RFP-2023-04-PARD". Any proposal received later than the specified time, whether delivered in person, postal mail or emailed shall be disqualified. The City of Kyle will not be responsible for delivering mail from the post office. The City of Kyle will not be responsible for proposals delivered to any location other than the one specified above. The City of Kyle will not be responsible for emailed proposals that did not get into "in-box". Respondents are encouraged to hand deliver their proposals well ahead of opening time or follow up to confirm their proposals were received before deadline.

The City of Kyle reserves the right to reject any or all proposals submitted. Resolution 795-Adopted March 20, 2012: The City of Kyle City Council hereby gives local preferences if the contractor meets requirements under the Local Government Code Section 271.9051.

The City of Kyle is exempt from taxation under the Sales Tax and Use Tax Laws, and proposals shall not include such taxes.

SCOPES:

1. A site visit is required prior to any company submitting a proposal. The site visit must be accompanied by a City of Kyle representative and the "Site Visit Verification Form" must be completed, signed and on file for proposal to be considered. A copy will be given to attendees and it will be their responsibility to send copy with proposal. Site visits may be scheduled during normal business hours between December 14, 2022 and January 3, 2023. To schedule a visit, please contact City of Kyle Director of Parks and Recreation as listed above.

2. This Request for Proposal is for three (3) years of services beginning with January 17, 2023. Winning proposal may be reviewed, renegotiated and/or amended for the 2024 and 2025 Kyle Fair events if both Contractor and City agree to new agreement within 90 calendar days from each event.
3. It is customary and common for City Departments to request proposals for participation in programs funded or sponsored by the City. The Kyle Fair is partially funded by City tax dollars. Therefore, the agreement to provide these services must be open to all interested in submitting a proposal. By submitting an RFP, the organization agrees to the terms and proposals being submitted.
4. The Kyle Parks and Recreation Department reserves the right to accept or reject any proposal submitted for any and all reasons.
5. The term Fireworks within this Request for Proposal shall be defined as "Display Fireworks 1.3G, UN0335, as described by and for Display Fireworks by the ATF and NFPA. "Only Display Fireworks shall be proposed for use in this RFP.
6. The Kyle Fair Fireworks show launches from Lake Kyle Park. Access to the site is not paved. Winning proposals shall work with City Staff to obtain access agreements and applicable liability insurance policies.
7. The subsequent years are subject to funding by City Council and will be approved within the 90 days when renewal is being considered.
8. Future celebrations are conditioned upon continued budget allocations. Being awarded the proposal does not guarantee said funding beyond 2020.
9. The Fireworks Contractor shall provide Certificate of Liability equal to or exceeding \$5,000,000 for General Liability, \$5,000,00 for Auto Liability and Statutory Workers Comp. If State minimums are greater than these minimums, the State requirements shall supersede the City's requirements. All policies shall list the City of Kyle and Plum Creek Golf Course, or their successors, as additional insured.
10. The Contractor shall have all applicable permits and licenses from the State of Texas and ATF, including but not limited to, Class B Fireworks Singular and Site Inspection Certification. Cost of permits and licenses shall be included in the submitted proposal. Contractor shall also coordinate with local Fire Marshall for permits, inspections and other required documents. The contractor shall provide licensed technicians to program and produce the show. The scheduled Fireworks Show is the evening May 20th and bad weather make up day will be May 21st of each year of this agreement.
11. The contractor will be responsible for designing, planning, choreographing to a soundtrack and executing the firework show.
12. The contractor shall provide cell phone contact information to ensure communication before, during and after the event.
13. The contractor shall provide a detailed map of the locations of all firework launch zones and fall out zones.
14. The contractor shall provide City staff one week before the shoot, a printed, detailed, itemize, inventory shopping list of all shells shipped for the fireworks display.
15. The contractor shall provide written procedures outlining plans for delivery, set-up and discharge of fireworks display in response to variable weather.
16. The Firework display show should be a minimum of 15 minutes with a maximum of 30 minutes.
17. The show will start promptly at 9:00 p.m. and, although it may be amended after this agreement is awarded, the desired show will include (4) segments:
 - Segment 1- approximately 5-7 minutes of continual assorted shells with assorted colors and shapes with minimal gaps, variety of effects synchronized to music
 - Segment 2- mini finale approximately 1-3 minutes with a large flurry of shells, variety of effects synchronized to music
 - Segment 3- approximately 3-5 minutes of continual shells with assorted colors and shaped with minimal gaps, variety of effects synchronized to music

Segment 4- spectacular grand finale of 2-5 minutes, variety of effects synchronized to music

18. All shells shall be aerial shells. The City of Kyle will not accept multi-shot cake barrages, low level or ground effect products.

19. The proposal shall include a company narrative that includes, but not limited to:

- The history of the company
- The experience of the company's principals
- A descriptive narrative of the show designed for Kyle using Scope 11, 12, 13, and 14 above, and any unique characteristic that you plan to include in your show.
- The number of shows done in Texas the past three years similar to the scope and size of this proposal and a list of these Texas cities of similar size and scope with contact information for reference purposes.
- The minimum number of shows of similar size and scope of the licensed technician that will be assigned to the City of Kyle's shows.
- Photos, video or links to videos for shows you have produced during the last 3 years in Texas of similar size and scope.

20. The City of Kyle reserves the right to increase, decrease and/or adjust the number and size of shells based on adopted budget.

RFP RESPONSE FORMAT:

The proposal shall be submitted that shows the final total costs to complete all scopes listed. It is required that you complete and return the RFP Response Page and all supporting documents as listed in Scope to be considered.

TERMINATION FOR DEFAULT:

The City of Kyle reserves the right to enforce the performance of successful proposal in any manner prescribed by law or deemed to be in the best interest of the City in the event of breach or default of agreement. The City reserves the right to terminate the agreement immediately in the event the successful proposal fails to: 1) meet delivery schedules; 2) otherwise performs in accordance with these specifications. Breach of contract or default authorizes the City to, among other things, award to another proposal, purchase elsewhere and charge the full increase in cost and handling to defaulting successful proposal.

TERMS OF PAYMENT:

Any conditions other than payment in full 30 days after services provided shall be included in proposal. This includes deposits and payments made the night of the show must be written in the proposal.

LIABILITY INSURANCE:

The Fireworks Contractor shall provide Certificate of Liability equal to or exceeding all State minimum required coverage and listing City of Kyle as additional insured. Proposal shall also provide evidence of worker's compensation insurance for all employees performing work on City Property.

REFERENCES:

Required with Scope 12(a) and 15(b) above.

RFP SUBMITTAL SCORING:

All complete proposals received will be reviewed by City Staff. The Staff's recommendation will go to the Kyle City Council for final approval.

Scoring Matrix:

Total cost to provide service based on Scope, including cost to provide the desired show- 80%

References- 20%

RFP SUBMITTAL PAGE

This page (page 4) shall be included in the submitted sealed proposal.

Total Cost of show as described in Scope of RFP for 2023:
(Cost of permits, licenses and insurance shall be included in these amounts) _____

Shells launched by the electronic/digital device (batteries) or by hand (flares)? _____

Payment for show: (please check one)

- Full payment 30 days after show
- Deposit of _____% made _____ days before show and balance paid in full _____
- Full Payment made

Included in this submission package at these required supporting documents:

- _____ A copy of the Site Visit Verification Form (Scope 1)
- _____ A copy of a certificate or sample certificate of Insurance showing at least \$5M in General Liability, \$5M in Auto Liability and Statutory Workers Comp (Scope 9)
- _____ A copy of Display Permit, a copy of ATF License, a copy of Texas Distributor's License, copy of DOT Permit and copy of DOT Safety Permit (Scope 10)
- _____ Length of segments of the show being proposed (Scope 13)
- _____ Number and sizes of shells being proposed (Scope 14)
- _____ Company Narrative (Scope 16)

Company Name: _____
Company Mailing Address: _____
Contact for Company/Vendor: _____ Email: _____
Daytime Phone Number: _____

I, the undersigned agent for the company named above, certify that I am duly authorized to execute the proposal, that this company, corporation, firm, partnership or individual has not prepared this proposal in collusion with any other provider, and that the contents of this proposal as to prices, terms or conditions of said proposal have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this RFP.

Authorized Company Official (signature): _____
Authorized Company Official's Name: (printed): _____
Date Signed: _____