

# **YELLOWSTONE COUNTY**

## **Request for Proposal**

### **Professional Carnival Operator**

#### **MontanaFair**

#### **MetraPark – Billings, Montana**

**July 11<sup>th</sup>, 2023**



# REQUEST FOR PROPOSAL

Yellowstone County/ MetraPark are inviting responsible proposals from professional carnival operators for MontanaFair. The intended contract period is for 5 years, beginning with MontanaFair, August of 2024, and running through MontanaFair, August of 2028. The successful proposer shall provide all equipment necessary for a fully operational carnival including, but not limited to, the latest and most popular midway rides, food and beverage concessions; ticket booths, generators; full-time personnel trained and experienced in the management, safety, public relations, and promotions.

Proposal will be accepted no later than 5:00 p.m. September 11th. Fax or email responses will not be accepted.

To be considered, all Proposals must be typed; submittals that are not typed will not be considered. Proposals must be received and date stamped no later than September 11th @ 5:00 PM MDT. Late submittals will not be considered.

All proposals may be hand delivered or mailed to:

**Yellowstone County Board of County Commissioners**

**316 North 26<sup>th</sup> Street- Room 3101**

**Billings, MT 59101**

All proposals must be labeled “**CARNIVAL OPERATOR**” on the lower right hand corner of the mailing packet/package.

All timely submittals will be acknowledged at 9:30 a.m. September 12th in the Commissioners Board Room, **Room 3108, 316 North 26<sup>th</sup> Street, Billings, MT 59101 ( 3<sup>rd</sup> floor Stillwater Building)**. All Proposals received that are time date stamped later than 5:00 p.m. September 11th will not be opened.

The costs for developing and delivering responses to this RFP and any subsequent presentations of the proposal as requested by the County are entirely the responsibility of the offeror. The County is not liable for any expense incurred by the offeror in the preparation and presentation of their proposal or any other costs incurred by the offeror prior to execution of a contract. All materials submitted become the property of the County.

## **SUBMITTAL OF INFORMATION:**

Five (5) hard copies and one (1) electronic copy of each RFP must be placed together in a separate sealed package. RFP package must be clearly marked “RFP- **CARNIVAL OPERATOR**”.

The written response to this Proposal must follow submittal instructions, and be received at:

**Board of County  
Commissioners  
316 North 26th Street  
Room 3101 - 3<sup>rd</sup> Floor Stillwater Bldg.  
Billings, MT 59101**

All questions and contact regarding this Request must be submitted in writing or email to:

Purchasing Department  
Yellowstone County  
Attention: James Matteson  
316 North 26th Street  
Room 3405- 3<sup>rd</sup> Floor Stillwater Bldg.  
Billings, MT 59101  
[jmatteson@yellowstonecountymt.gov](mailto:jmatteson@yellowstonecountymt.gov)

Respondents are highly encouraged to have a representative attend a portion of MontanaFair, August 11<sup>th</sup> to August 19<sup>th</sup> to gain a perspective as to what kind of user experience our patrons currently expect and enjoy.

## General Information

MontanaFair is the largest most successful fair in Montana and located at the Yellowstone County -MetraPark Campus in Billings, Montana. The dates of MontanaFair are:

2024: August 9<sup>th</sup> to August 17<sup>th</sup>

2025: August 8<sup>th</sup> to August 16<sup>th</sup>

2026: August 7<sup>th</sup> to August 15<sup>th</sup>,

2027: August 13<sup>th</sup> to August 21<sup>st</sup>

2028: August 11<sup>th</sup> to August 19<sup>th</sup>

MontanaFair offers a wide variety of free grounds and major entertainment daily including 3 concerts, 1 motocross event and 3 days of PRCA Rodeo.

### Fair Hours:

12:00 Noon to 12:00 Midnight

### Move-In and Move-Out

Carnival can begin mobilization in, during the week prior to MontanaFair Opening Day, and exit demobilization completed in no more than 48 hours after closing time and date of the annual MontanaFair. The Carnival shall be in operation from 12:00 Noon until 12:00 midnight each day of the Annual Event, weather permitting. No deviations from these times shall be allowed unless by agreement with MontanaFair. Contractor may start move-in during the week prior to opening day before Opening Day. Exit demobilization shall not start until after 12:00 midnight at the end of MontanaFair. Exit demobilization shall be completed no-later than 48 hours after the end of MontanaFair.

#### 1. Operation

Equipment List: Proposal shall contain a complete equipment list of ride/shows, itemized by name of manufacturer, serial number, year of manufacture and riding capacity per hour as rated by the manufacturer's stated standards; names and addresses of current owners of such equipment; and a complete list and description of concessions, game booths and trailers, and games of skill to be presented at the Annual Event. Contractor shall also outline all Support Equipment it proposed to provide.

Carnival Premises Layout. Contractor shall submit with its proposal a scaled conceptual theme, artist rendering, and visual layout, based on the dimensions and maps of the Montana Fair space included on Exhibit "A" (2 pages-artist rendering & overhead photo). List utility requirements necessary for the entire midway.

Ride Maintenance. Contractor shall provide documentation of maintenance schedule and repairs made on all existing rides brought onto premises for the two (2) previous calendar years.

Quantity of Personnel. Contractor must demonstrate that it has or will be able to obtain the quantity of personnel including, but not limited to, help needed to serve the public. Any employee performing services under this RFP and subsequent contract must be a citizen of the United States or must possess a valid permit to work in the United States.

Uniforms. Describe uniforms to be worn by personnel, including subcontractors. Include sketches or photos of the proposed uniforms.

Creativity and Innovation. Montana Fair desires a carnival operation that is entertaining, imaginative and innovative and one that looks to the future with ideas to constantly update the look and function of the midway. The contractor must also provide a professional atmosphere and patron oriented environment. Describe in detail the entertaining, creative and innovative aspect of the contractors operation that will meet or exceed these goals.

Customer Complaints. Describe contractor's customer complaint policy and procedures.

Improved Quality. The quality of the carnival is expected to improve or at the very minimum, maintain stated quality. Please describe your plans to effectuate this goal.

## 2.0 Qualification and Competence

Contractors Experience. List in detail contractors experience in providing carnival services of the type described in this RFP. Proposal must include a complete list of all fair and still-date engagement played by contractor during all of 2017, 2018, 2019, 2020, 2021, 2022, as well as schedule for 2023 plus scheduled events for 2024. Provide name and contact information for each.

Letters of Recommendation. Contractor must provide letters of recommendation from those organizations, apart from the Fair, for which the contractor has provided carnival services during the past five (5) years. If those organizations exceed three (3) in number, no more than three (3) recommendations need be submitted.

Organizational Chart and Resumes. Provide a detailed organizational chart of your firm listing the areas of responsibility of person listed on the chart. Provide a detailed resume of each officer and person in a managerial capacity who will provide carnival services described in this RFP.

Organizational/Management Relationship. Specify whether your firm's owner, president, or chief executive officer or officers will be present during carnival operation and, if not, your firm's procedures for delegating authority to responsible supervisory personnel.

Industry Affiliations. Provide current state, regional and national industry association affiliations, level of affiliation, and applicable special designations.

### 3.0 Safety and Sanitation

Safety Procedures. Explain current safety policies and procedures that affect employees and the public, including and independent ride inspection, copies of employee safety training procedures with proof of training meetings, seminars, use of safety employees and in-house safety department.

Awards and Recognitions. Provide evidence of Awards and/or Recognitions for the past five years from organizations such as International Association of Fairs and Expositions (IAFE) or Outdoor Amusement Business Association (OABA).

Final Cleanup. Describe contractor's final clean-up plans to ensure safe removal of all materials, including residue from fuels, hydraulic fluids and other materials used on premises.

#### 4.0 Accident History and Loss Control Records.

List any prior accidents, safety violations, or significant incidents involving contractors and subcontractors' attractions during all of 2017, 2018, 2019, 2020, 2021, 2022 as well as 2023 through the issue date of this RFP. If others have owned or operated the attractions during this period, details of such circumstances must be provided.

Provide certified loss control records for all claims and settlement against the principal, subsidiary corporations, and all related business entities owned by any shareholder or director and used in the carnival, amusement park or public attraction type of venture for all of 2017, 2018, 2019, 2020, 2021, 2022, as well as 2023 up to the issue date of this RFP.

Provide certified loss control records for all 2017, 2018, 2019, 2020, 2021, 2022, as well as 2023 up to the issue date of this RFP for all ride proposed for the MontanaFair subcontracted, not owned by the contractor.

If contractor is selected as a finalist, contractor may be required to submit an updated accident report up to the date submittal.

Crisis Management. Describe contractor's crisis response and management plan, how employees respond to an emergency, and how management assists the MontanaFair Management in investigation, deals with the press, follows up on occurrences, and initiates preventative measures to ensure no future reoccurrences.

Drug Screening. Contractor will be required to have drug screening and testing program for employees. Describe your current drug testing policies and practices.

Coordinating Services. Describe contractor's philosophy, policies and practices related to coordinating with MontanaFair for services necessary for overall safety and customer service. (Safety Inspectors, first aid services, trash & litter control, etc.)

ADA Compliance. Describe contractors existing program or plans for compliance with current and incoming ADA standards.

Ride Certification: State and NAARSO level of certification contractor's independent safety inspector(s) have attained.

Cable Covers. Contractor will be required to provide suitable hose and electrical cable covers, such as "Yellow Jackets" or alternative. Specifically state the type of hose and electrical cable covers or alternative means (i.e., saw cutting with asphalt backfill) of safely securing cables to be installed by contractor.

## 5.0 Accounting Procedure.

Reporting. Specify in detail the arrangements which will be made in order to ensure the financial reporting integrity of contractors operation. This includes ride ticket control, handling, disposal, inventory control systems, etc. Provide example of reports that would be generated.

Revenue to MontanaFair. Money offers will be evaluated based on the Contractor paying MontanaFair a certain total of percentage of gross receipts from the operation of all rides, games, concessions, and such offer must contain a stated guarantee, payable to MontanaFair, regardless of the offered percentage.

Contractor must complete the "Cost Proposal Form" Exhibit "B" without deviation from required format. Do not re-type the form or alter the form in any manner

## **INSURANCE REQUIREMENTS**

CONTRACTOR shall maintain at its sole cost and expense, commercial general liability insurance naming Yellowstone County, as additional insured for this project against liability for damages for bodily injury, including death and completed operations and property damages in a minimum amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) for each claim and One Million Five Hundred Thousand Dollars, (\$1,500,000.00), in the aggregate arising from incidents which occur as the result of Contractors negligence during the project and for which Yellowstone County/\_, sole basis of liability is vicarious liability for the acts or omissions of the Contractor or/and subcontractors. Contractor shall maintain for this project at its cost and expense, insurance against claims for injuries to persons or damages to property, including contractual liability which may arise from or in connection with the project by Contractor,



agents, employees, representatives, assigns and sub-contractors. This insurance shall cover claims as may be caused by any negligent act or omission. The policy of insurance shall be an occurrence policy with a Best Rating of A- or better and must be in force throughout the project.

Contractor shall name on the Certificate of liability insurance Yellowstone County/\_, as additional insured throughout the project. In addition, Contractor will furnish to Yellowstone County/\_, a copy of the policy endorsement, CG 32 87 05 10, indicating that Yellowstone County/\_, are named as an additional insured under the Contractors insurance policy for this project. Contractor agrees to furnish both the Certificate of insurance and policy endorsement at least ten (10) days prior to beginning work on the project.

Contractor agrees to defend, indemnify and hold harmless Yellowstone County/\_, from and against any and all claims demands, obligations causes of action, lawsuits and all damages and liabilities fines, judgments, costs, (including settlement costs), and expenses associated therewith (including reasonable attorney's fees and disbursements), arising from incidents that occur the result of Contractors negligence during this project. And for which Yellowstone County/\_, sole basis of liability is vicarious liability for the acts or omissions of Contractor. The defense and indemnification obligations under this paragraph shall not be limited by any assertions or finding that Yellowstone County/\_, is liable for any damages by reason of a non-delegable duty.

## **WORKERS COMPENSATION**

Contractor is required to maintain workers compensation insurance, or an independent contractor's exemption issued by the Montana Department of Labor covering Contractor and Contractor's employees. Contractor is not, nor is Contractor's workers, employees of Yellowstone County. Workers Compensation insurance or the exemption from the workers compensation obligation must be valid for the entire period of the project.

# EXHIBIT “A”



# EXHIBIT "B"

## FINANCIAL PROPOSAL BID FORM

### PERCENTAGE - GUARANTEE

#### **INFORMATION:**

Money offers will be accepted based on the contractor paying the fair a percentage of the gross on-site receipts from the operation of rides, concessions, and games. The total sum to be paid to the fair per year shall not be less than a stated guarantee.

#### **Proposal:**

Bidder offers to pay the following to MontanaFair:

\_\_\_\_\_ % of gross on site receipts -combined rides, concessions and games-  
(SUPER Attraction rides exempt)

\_\_\_\_\_ % of gross from SUPER Attraction rides

\_\_\_\_\_ Total Minimum Guarantee

All bidders must fill in the following information and sign this form in order for the "Financial Proposal Bid Form" to be considered.

\_\_\_\_\_  
Contractor Name

\_\_\_\_\_  
Contract Information (email- phone)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

## EVALUATION:

Value Summary. The following is a summary of evaluation factor with a point value assigned to each. These weighted factors will be used in the evaluation of contractor proposals.

<u>SPECIFICATION</u>	<u>POINTS AVAILABLE</u>
1. Safety & Sanitation	250
2. Qualifications	250
3. Operation	200
4. Accounting Procedure	150
5. <u>Revenue to MontanaFair</u>	<u>150</u>
<b>TOTAL</b>	<b>1000</b>

Respondents are highly encouraged to have a representative attend a portion of MontanaFair, August 11<sup>th</sup> to August 19<sup>th</sup> to gain a perspective as to what kind of user experience our patrons currently expect and enjoy.

The Board of County Commissioners reserves the right to reject any or all Proposals received, to waive informalities to evaluate the Proposals submitted, and to accept the Proposal that best serves the interests of Yellowstone County.

Done by order of the Board of County Commissioners, Yellowstone County, Montana this 11<sup>th</sup> day of July 2023.

Board of County Commissioners  
Yellowstone County, Montana

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John Ostlund, Chair

(Seal)  
Attest:

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Jeff Martin, Clerk and Recorder