

GOVERNORS ISLAND  
PRESERVATION & EDUCATION  
CORPORATION



Bicycle Rental Concession:  
Governors Island, New York City

Request for Proposals

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A subsidiary of Empire State Development Corporation, Pat Foye, Chairman

**Request for Proposals  
Bicycle Rental Concession:  
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## **1 Introduction**

Governors Island Preservation and Education Corporation (“GIPEC”), a subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development Corporation (“ESDC”), is issuing this Request for Proposals (“RFP”) to solicit operators to manage and maintain a bicycle rental business (“Bicycle Concession”) on an interim basis, during public access hours on Governors Island. The Bicycle Concession will offer a variety of bicycles and related products for rent during Governors Island’s public access season.

GIPEC’s goal in soliciting these proposals is to bring new and distinctive experiences to the Island. The bicycle rental concession should contribute to the singular joy of a trip to Governors Island and encourage more people to take advantage of everything the Island has to offer: dramatic views, shady trees, stately forts and great cultural and historical programming. GIPEC is seeking an operator who can offer a variety of bicycles and bicycle-related rental products such as quadracycles or bicycle surries, tandems, and children’s bikes and trailers. GIPEC is also interested in operators who, either alone or through creative partnerships, can offer some form of free public access to basic bicycles. In addition, GIPEC reserves the right, in its sole discretion, to provide certain supplemental financial support to enhance the provision of free public access to basic bicycles. Although not a requirement of this RFP, we encourage proposers to include a provision for making some bikes accessible to the public free of charge as part of their business offering.

## **2 About Governors Island**

Governors Island is a 172-acre island and redevelopment project located 800 yards south of the Battery in New York City (Appendix A). It is comprised of a 92-acre national and locally designated Historic District and an 80 acre non-historic area, of which 25-40 acres will be set aside as a public park. It is conceptually useful to divide the Island into two sections: the historic “North Island and the non-historic “South Island” (Appendix B).

Governors Island provides New Yorkers and visitors with a unique New York City experience. With some of the most amazing views of New York City -- from the Statue of Liberty to the Brooklyn Bridge -- historic fortifications, homes and buildings; and quiet, tree-lined green space, an afternoon on Governors Island feels like a world away but is only a seven minute ferry ride from Lower Manhattan.

Bicycling is one of the best ways for visitors to explore the Island. Governors Island is unique in that vehicular access is restricted to service, delivery and emergency vehicles; private cars are not allowed on the Island. The quiet of its car-free roads, relatively mild topography and compact scale make Governors Island a great destination for cyclists, especially young cyclists and families.

To enhance the Island’s essential “bikability,” GIPEC has made several key improvements, such as repaving the roadways, striping a 1-mile bike loop around the waterfront perimeter in the Historic District, and providing bike racks throughout the public access areas so cyclists can hop off their bike and explore. In addition, as improved safety conditions permit, GIPEC plans to open up more of the promenade for cycling in the future.

### **3 About the Governors Island Preservation and Education Corporation (GIPEC)**

GIPEC is responsible for the planning, redevelopment and ongoing operations for 150 acres of Governors Island. The National Park Service (“NPS”) owns and administers the additional 22 acres of the Island, which were designated in 2003 as the Governors Island National Monument. A public benefit corporation and subsidiary of ESDC, GIPEC is overseen by a Board of Directors appointed equally by the Governor and Mayor of New York, and GIPEC’s operations are equally funded by the State and the City.

GIPEC works closely with NPS and a wide array of constituent groups, including business, community and civic groups, to foster new ideas for the development of Governors Island and to enhance the Island’s role as a vital and integral part of New York City and the surrounding region. GIPEC seeks to make Governors Island a destination with great public open space and heritage tourism attractions, as well as education, conference and cultural facilities.

### **4 Public Access**

As a former military installation, Governors Island was closed to the general public for most of its history. Starting in 2004, GIPEC began progressively opening the Island to visitors and offering more and more cultural and historic programming. As of 2007, all areas of the North Island are now open to the general public during the public access season. Access to the South Island is also made possible as part of electric tram tours provided by NPS Rangers, but general public access to the South Island is otherwise currently restricted.

In 2008, in anticipation of increased visitation, the Island will be open for more months of the year, more days of the week, and more hours of the day than ever before. The 2008 public access season will run from June 2<sup>nd</sup> through the end of October, and the Island will be open every Friday, Saturday and Sunday from 10 AM to 7 PM.

In 2007, from June to the beginning of September, Governors Island welcomed 55,000 visitors from every borough of New York City and more than 30 countries around the world. An intercept survey conducted by GIPEC volunteers during the summer of 2007 revealed that 75% of the visitors surveyed were from within the five boroughs (see Appendix C). Visitors in 2007 represented twice the 26,000 visitors in 2006 and a seven-fold increase from 8,000 visitors in 2005 (Appendix D). Building on its success with additional programming, GIPEC expects 75,000 visitors will visit the Island during the expanded 2008 public access season.

To get to Governors Island, visitors can take a free seven minute ferry ride from the Battery Maritime Building. The current GIPEC-operated free ferry holds 490 passengers and leaves Manhattan at a minimum of every hour. GIPEC recently purchased a larger 770 passenger boat, which is scheduled to be put into operation in 2009. GIPEC also has a second dock available to commercial ferry operators for special events or runs to other locations in the Harbor.

Throughout the summer season, GIPEC hosts an expanding roster of festivals, performances, sporting events, and historic reenactments to draw a diverse audience to the Island (Appendix E). In 2008, GIPEC will continue to partner with a variety of cultural and athletic organizations and forge new relationships to bring programming to the Island every summer weekend.

Last summer was the first in which GIPEC invited bicyclists to take advantage of the Island's quiet car-free roads and the one-mile bike loop, and they did so by the thousands. That one of the most frequently asked questions of the 2007 summer season was, "Can I rent a bicycle on Governors Island?", suggests that there is more demand for cycling on the Island and a market for bicycle rentals.

## **5 The Concession**

GIPEC is seeking an operator of a bicycle and bicycle-related rental business. Above all, we are seeking an operator that will embrace GIPEC's objectives of enhancing the visitor experience and offering activities not available anywhere else. Products offered for rent can include, but are not limited to: adult bicycles, tandems, quadracycles, children's bicycles, children's bike trailers. Such operations may also include the sale of water, non-carbonated energy drinks, energy bars, sunscreen, disposable cameras, film, and other items incidental to such rental business (locks, helmets, pads, tubes, reflectors/lights, bells/horns, etc.). Water and non-carbonated drinks are also sold on the Island from vending machines and weekend food vendors. GIPEC does not set the price for such items, but any revenue derived from other sources than rentals can be part of a proposer's business offer. A respondent who is selected by GIPEC to operate the Bicycle Concession being offered through this solicitation and who executes a Permit for this concession shall hereafter be referred to as the "Permittee," (Appendix L).

The Bicycle Concession will be located in the parking lot of Building 109 ("the Concession Site"), near the Island's ferry landing and main point of access, and measures approximately 3,750 square feet (See Appendix B). The Concession Site is prominent and directly visible to visitors as they disembark the free GIPEC -operated ferry at Soissons Dock. The National Parks Service bookstore, the ferry waiting room and the security offices are all within a few hundred feet of the Concession Site.

No permanent building will be allowed on the Concession Site, but tents, trailers or other temporary structures may be used for operations and storage. In addition, some existing storage on-Island storage facilities may be available.

The Island currently does not have potable running water, but bottled water is available for purchase in the ferry waiting room (Building 148) near the Concession Site or from the seasonal food vendors. Rest rooms are located near the Concession Site in Building 148, and GIPEC makes additional portable toilets available during the summer season.

### **5.1 Permit Term**

The Permit to operate the Bicycle Concession on Governors Island during the public access season will be for a two year term. If the relationship between GIPEC and the Permittee is

satisfactory to GIPEC through the 2008 term, GIPEC shall have the option, in its sole and absolute discretion, to renew the Permit upon its expiration, on a non-competitive basis, for two additional one-year terms. In the Proposal, Respondents must state the terms for the two year base permit term and two optional one year permit terms.

## 5.2 Public Access Season

The 2008 public access season will begin June 2<sup>nd</sup> and continue through the end of October. During the public access season, the Island will be open to the public, and made accessible by the free ferry, every Friday, Saturday and Sunday from 10 AM to 7 PM.

## 5.3 Improvements to the Concession Site

No permanent construction will be allowed on the Concession Site. However, tents, trailers or other temporary structures may be used for storage and operations. GIPEC will require that all proposed structures be approved by GIPEC staff and its construction managers. Electricity and washing water, as well as GIPEC-operated security and waste management, will be made available at the Concession Site at no cost to the Permittee.

## 5.4 Marketing Support

GIPEC provides significant marketing support to its programming partners through its general public access marketing strategy. Because of the success of bicycle access to the Island this year, bicycling will be featured prominently on GIPEC's 2008 promotional materials. For a draft sample of the 2008 marketing materials, please see Appendix F.

In 2007, GIPEC's public access season marketing strategy included:

- Approximately 1,500 ads on subways; 8,000 ads on buses in all five boroughs
  - Over the course of the summer, these ads were seen more than 168 million times
- 75,000 "Take One" brochures distributed at stations across the city
- PATH ads in all PATH stations and on PATH vision monitors (160,000 views/day)
- Distribution of 125,000 brochures through NYC and Company, NY Thruway Authority, museums, hotels and businesses, and on Island
- Included in River to River Festival and Guide
- Inclusion on I Love New York website and publications
- Each week, Governors Island programs were listed in:
  - New York magazine (437,000 readers)
  - Time Out New York (137,000 readers)
  - Time Out New York Kids (40,000 monthly readers)
  - Local papers and blogs depending on programming (Post, Daily News, AM New York, The New York Times, Metro, Gothamist, Streetsblog, Flavorpill)

In addition to advertisements and press coverage, GIPEC maintains a website and sends an email blast to more than 11,000 subscribers, and community, groups/organizations announcing each weekend's activities.

## 5.5 Exterior and Interior Signage

The presence of the Bicycle Concession on the Island will be incorporated into the Island's wayfinding system and maps. The design of all signage, exterior as well as interior, and all other design elements must be approved by GIPEC staff.

#### 5.6 Sensitivity to Historic Ordnance-related Activities

Governors Island was an active military base for over 200 years. Unexploded ordnances (munitions) have been encountered in the past on Governors Island, and the potential exists that ordnances may be found in the Historic District or South Island in the future. GIPEC has developed a set of precautions that must be taken if any intrusion into the ground deeper than three (3) feet is made (for tent stakes, etc), which may include oversight by an ordnance specialist hired by the Permittee during excavation.

#### 5.7 Vehicle Access to the Concession Site

Vehicular access to Governors Island is provided by the GIPEC-operated ferry, currently the Coursen, and is restricted to service, delivery and emergency vehicles. Vendors' and employees' personal vehicles are not permitted on the ferry. Deliveries to and from the Concession Site must follow procedures established by GIPEC's facilities manager and be minimized during busy public access hours.

### 6 **Submission Requirements**

#### 6.1 Timetable

RFP Release Date:	February 4, 2008
Site Visit:	February 12, 2008
Questions Due:	February 14, 2008
Questions and Answers Posted:	February 20, 2008
<b>Proposals Due:</b>	<b>February 25, 2008–3:00PM</b>
Interviews:	March 10-12, 2008
Permit Issue Date (tentative):	April 16, 2008
Opening Day:	May 31, 2008

#### 6.2 Site Visit

A Concession Site visit will be held on Governors Island on February 12, 2008 from 9:15 - 10:45 AM. While a respondent's attendance is not mandatory to propose for the contract described in this RFP, it is strongly encouraged. Anyone wishing to attend must RSVP by emailing [GIPEC-BikeRFP@empire.state.ny.us](mailto:GIPEC-BikeRFP@empire.state.ny.us) with names of all attendees. Those who have not responded will not be permitted to board the Governors Island ferry.

The ferry to Governors Island will be leaving promptly from Slip 7 of the Battery Maritime Building, 10 South Street, in Lower Manhattan at 9:00 AM. Attendees must arrive at Slip 7 no later than 8:45 AM in order to comply with security procedures before boarding the ferry. Photo identification will be required for each person prior to boarding the ferry. No one without photo ID will be allowed access to the ferry or the Island.

### 6.3 Evaluation Criteria

GIPEC will use the following criteria to evaluate proposers and their proposals:

- **Quality of Proposed Visitor Experience** - The proposer's commitment to enhancing our visitors' experience by offering fun, unique, family-friendly activities unlike anything else in New York City.
- **Quality of Products and Services** – The proposer is offering a wide variety of rental products of superior quality and has demonstrated the capacity to provide first class level of service.
- **Resource Dedication** – The proposer has sufficient resources to ensure a high quality experience for visitors through the permit term.
- **Expertise** – The proposer's experience and a strong track record of successfully operating similar bicycle rental concessions.
- **Responsiveness** – The proposer's accessibility, responsiveness, and flexibility to meet GIPEC's needs and an understanding of GIPEC's mission.
- **Free or low cost rentals**- Although the provision of an option to make a certain number of free or below market basic bicycle rentals available is not a requirement of this RFP, GIPEC will look favorably upon the provision and extent of such a free or low-cost rental program.
- **Business Offer** – The proposer's business offer provides the best total return to the public and GIPEC and eliminates or minimizes the need for a GIPEC contribution to free or low-cost rental option.

### 6.4 Proposal Content

Proposals should provide a straightforward, complete and concise description of the proposer's capabilities to satisfy the requirements of the RFP. In your proposal, please provide a general overview of your company and its capabilities, and be as specific as possible in discussing your direction and vision for the Bicycle Concession. Please make sure to specifically address the following issues:

1. Contact information including the name, address, phone and fax numbers, and email addresses of the proposer, as well as the names, roles and contact information for the personnel who would be assigned to the engagement.
2. Cover Letter summarizing key points of your proposal
3. History of firm's experience, particularly as it relates to operating such a concession on public land.
4. Three business references. Please include the name, title, organization name, address and phone number of entities that have issued concessions to you in the past.
5. Description (and pictures/drawings, if applicable) of overall envisioned use, including number of bikes and related products for rent, an itemized list of potential rental and sale items and services with an associated price list, hours of operation, staffing, and space needs.
6. Proposed operating schedule.

7. Operational needs: amount of storage area required, access, security or utility needs.
8. Business offer: outline the overall business terms of the proposal, which may include a minimum rent guarantee rent or a share of any stream of revenue. The provision of public access to free bicycles or any other business terms should be included in this section of the proposal. Respondents must state the terms for the two-year base permit term and two optional one-year permit terms.
9. Any additional details about what you would require on an initial or ongoing basis to operate the concession.
10. Additional Certification and Requirements (Appendices G-K)
11. Completed submission checklist (Appendix M).

The above items should be specifically addressed; however they are not meant to be an exhaustive list. Please include any additional information that you believe would be helpful in the decision-making process, including references and past experience.

#### 6.5 Submission Procedures

Interested proposers are required to follow the guidelines and instructions contained in the RFP. At its discretion, GIPEC may make clarifications or amend this RFP in writing at any time. In the event it becomes necessary to revise or amend any part of this RFP, all revisions, clarifications, and changes will be provided by addenda posted on the GIPEC web site ([www.govisland.com](http://www.govisland.com)) "Planning and Development > Open RFPs/RFQs/RFEIs" page, Bicycle Rental Concession. **It is the responsibility of all Proposers to check the GIPEC website for posting of clarifications, amendments, or addenda on an ongoing basis.**

1. The **front cover** of each proposal should state "Governors Island Bicycle Rental Concession Proposal" and the entire set of proposals should be contained in a box or envelope clearly labeled "Governors Island Bicycle Rental Concession Proposal."
2. You must submit six (6) copies of your proposal printed or typed on 8 ½" x 11" paper, and one (1) electronic copy on a compact disk.
3. Proposals are limited to ten (10) pages, excluding documentation required in Part 6. f. of this RFP, "Additional Certification and Compliance"
4. Illustrations may be included.
5. No proposals should be submitted in plastic sleeves or spiral binders.
6. Oversized drawings may be submitted, but must be accompanied by 8½" x 11" sectionals or reductions to 8 ½" x 11".
7. Proposals are due and must be received at the location designated below no later than 3:00 PM EST, February 25, 2008. Proposals received after the indicated date and hour and/or at a different location may not be considered at the discretion of GIPEC
8. Proposals must be delivered by hand, regular mail or express mail. Proposals sent via facsimile or e-mail transmittal will not be accepted.
9. The proposal should be submitted in a sealed envelope with the following information written on the outside:
  - Your name and address**
  - "Governors Island Bicycle Rental Concession"**
  - Return Date: February 25, 2008 @ 3pm**
10. Proposals must be submitted to:

**“Ellen Cavanagh, Project Manager  
Governors Island Preservation and Education Corporation  
Battery Maritime Building  
10 South Street, Slip 7  
New York, NY 10004”**

11. All questions related to this RFP process must be submitted in writing via email no later than **5 PM EST on February 14, 2008** to GIPEC at [GIPEC-BikeRFP@empire.state.ny.us](mailto:GIPEC-BikeRFP@empire.state.ny.us). Responses to any questions submitted in writing by this date, or asked at the pre-bid conference, will be posted on the GIPEC website [www.govisland.com](http://www.govisland.com) by **February 20, 2008**. GIPEC will not accept, and cannot respond to, questions via any other methods.

## 6.6 Additional Certification and Compliance

### 6.6.1 **Non-Discrimination Policy**

- i. It is the policy of the State of New York and GIPEC to comply with all federal, state and local laws, policy, orders, rules and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, and to take affirmative action in working with contracting parties to ensure that New York State Business Enterprises, Minority and Women-owned Business Enterprises (M/WBEs), Minority Group Members and women share in the economic opportunities generated by GIPEC’s participation in projects or initiatives and/or the use of GIPEC funds.
- ii. ESDC’s Non-Discrimination and Affirmative Action policy shall apply to this contract. The selected proposer shall be required to use its best efforts to provide for the meaningful participation of Minority/Women-owned Business Enterprises (M/WBEs) in this initiative. A copy of each respondent’s equal employment opportunity policy statement, Staffing Plan (Schedule A-1 of Appendix G) of the anticipated workforce to be utilized and Schedule of Minority and Women Business Participation (Schedule A-2 of Appendix G) shall be included as part of the response to any RFQ. Respondents must submit Schedules A-1 and A-2 as part of their proposal - do not send these directly to ESDC. M/WBEs are encouraged to respond. The ESD Affirmative Action Unit (AAU) is available to assist you in identifying New York State certified M/WBEs that can provide goods and services in connection with the contract. If you require M/WBE listings, please call the AAU at (212) 803-3224.

### 6.6.2 Procurement and Tax Law Requirements

- a. *State Finance Law Sections 139-j and 139-k*
  - i. State Finance Law Sections 139-j and 139-k (collectively, the “Procurement Requirements”) apply to this solicitation. These Procurement Requirements (1) govern permissible communications between potential respondents and GIPEC or other involved governmental entities with respect to this solicitation during the procurement process; and (2) establish sanctions for knowing and willful violations of the provisions of the Procurement

- Requirements, including disqualification from eligibility for an award of any contract pursuant to this solicitation.
- ii. Compliance with the Procurement Requirements requires that (x) all communications regarding this solicitation, from the issuance of this solicitation through final award and approval of any resulting contract (the "Restricted Period"), be conducted only with the contact person(s) listed below; (y) the completion by respondents of the Offerer Disclosure of Prior Non-Responsibility Determinations and the Offerer's Affirmation of Understanding of and Agreement pursuant to State Finance Law, copies of which are attached to this solicitation as Appendices **H** and **I**, respectively; and (z) periodic updating of such forms during the term of any contract resulting from this solicitation. Respondents must submit both of these forms, properly completed, as part of their proposals. The Procurement Requirements also require GIPEC employees to obtain and report certain information when contacted by prospective bidders during the Restricted Period, make a determination of the responsibility of bidders and make all such information publicly available in accordance with applicable law. If a prospective bidder is found to have knowingly and willfully violated the State Finance Law provisions, that prospective bidder and its subsidiaries, related or successor entities will be determined to be a non-responsible bidder and will not be awarded any contract issued pursuant to this solicitation. In addition, two such findings of non-responsibility within a four-year period can result in debarment from obtaining any New York State governmental procurement contract.
  - iii. A copy of GIPEC's Policy Regarding Permissible Contacts under State Finance Law Section 139-j and 139-k is attached to this solicitation as Appendix I. Neither this summary nor the referenced Policy is a complete presentation of the provisions of the Procurement Requirements. A copy of State Finance Law Sections 139-j and 139-k can be found at <http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html> . All potential Respondents are solely responsible for full compliance with the Procurement Requirements.
  - iv. ALL QUESTIONS, COMMENTS, REQUESTS FOR CLARIFICATION AND OTHER COMMUNICATIONS REGARDING THIS SOLICITATION MUST BE IN WRITING AND SUBMITTED TO **Ellen Cavanagh** AT **GIPEC-BikeRFP@empire.state.ny.us**. CONTACT WITH ANY OTHER PERSON REGARDING THIS SOLICITATION IS PROHIBITED BY LAW. All questions and requests for clarification will be responded to in writing and disseminated to all persons and organizations having expressed an interest in this solicitation.
  - v. Do not telephone or email GIPEC staff directly regarding this RFP. For the purpose of compliance with State Finance Law Sections 139-j, **contacts with Jon Meyers, Betty Chen, Ellen Cavanagh, and Navneet Gill-Jacobs are considered permissible**. However, GIPEC's Policy Regarding Permissible Contacts under State Finance Law Section 139-j and 139-k with respect to the Request for Proposals for the Governors Island Bicycle Rental Concession

requires that all comments and questions regarding this request for proposals (other than those presented in person at the pre-bid conference provided for in the RFP) must be in writing and electronically submitted to GIPEC at [GIPEC-BikeRFP@empire.state.ny.us](mailto:GIPEC-BikeRFP@empire.state.ny.us). GIPEC can entertain questions and comments on the RFP that are not in writing at the pre-bid conference to be held on February 12, 2008. All other questions and comments regarding this RFP must be in writing and submitted to GIPEC at [GIPEC-BikeRFP@empire.state.ny.us](mailto:GIPEC-BikeRFP@empire.state.ny.us). All written questions and requests for clarification will be responded to in writing and be posted on the website ([www.govisland.com](http://www.govisland.com)).

vi. All potential Proposers are solely responsible for full compliance with the Procurement Requirements.

b. *State Tax Law Section 5-a*

vii. Any contract resulting from this solicitation is also subject to the requirements of State Tax Law Section 5-a (“STL 5-a”). STL 5-a prohibits GIPEC from approving any such contract with any entity if that entity or any of its affiliates, subcontractors or affiliates of any subcontractor makes sales within New York State of tangible personal property or taxable services having a value over \$300,000 and is not registered for sales and compensating use tax purposes. To comply with STL 5-a, all respondents to this solicitation must include in their responses a properly completed Form ST-220-CA, a copy of which is attached to this solicitation as Appendix K. so in accordance with the requirements of STL 5-a, any contract resulting from this solicitation will require periodic updating of the certifications contained in Form ST-220-CA. Solicitation responses that do not include a properly completed ST-220-CA will be considered incomplete and non-responsive and will not be considered for contract award.

## 7 Other General RFP Requirements and Conditions

1. GIPEC reserves the right, at its discretion, to postpone the date for submission and opening of proposals.
2. Proposers are advised that GIPEC has the option of selecting the proposer without conducting interviews or negotiations. Therefore, proposers should submit their best proposals initially, since interviews or negotiations may not take place.
3. Proposers must respond to this RFP in order to be eligible to be considered for the award of the Permit pursuant to this RFP.
4. All Proposals shall be the property of GIPEC.
5. All Proposals and other materials submitted to GIPEC in response to this RFP may be disclosed in accordance with the standards specified in the Freedom of Information Law (“FOIL”). Respondents may provide in writing at the time of submission of their Proposal a detailed description of the specific information

contained in its Proposal, if any, which constitutes a trade secret or would, if disclosed, harm such entity's competitive position. This characterization shall not be determinative, but GIPEC will use it for purposes of evaluating the applicability of any exemptions under FOIL should any request be made under FOIL to see the Proposal. GIPEC, in its sole discretion, will determine whether any such information qualifies for exemption from disclosure under applicable law. GIPEC assumes no responsibility for any loss or damage resulting out of any determination regarding disclosure of information provided by Respondents and by submitting a Proposal, Respondents expressly waive any such claim.

6. Insurance requirements. a. GIPEC shall establish appropriate levels of insurance coverages based upon the nature and extent of the activities to be conducted pursuant to the permit. b. Permittee shall maintain, during the term of this Permit, insurance policies of the type and in the minimum amounts listed below.
  - i) Project Specific Commercial General Liability insurance, covering claims for injury to property or persons, including death, with a total limit of at least Two Million Dollars (\$2,000,000) for each occurrence and in the aggregate; ii) Workers Compensation Insurance at statutory limits and Employers Liability Insurance with a limit of liability of not less than Five Hundred Thousand Dollars (\$500,000) per occurrence; and iii) A Waiver of the Insurer's Right of Subrogation against GIPEC shall cause to be included in each of its policies insuring against loss, damage or destruction by fire or other insured casualty, or, if such waiver is unobtainable an express agreement that such policy shall not be invalidated if Contractor waives or has waived before the casualty, the right of recovery against GIPEC or any other form of permission for the release of GIPEC iv) Automobile Liability and Property Damage Insurance in an amount not less than \$1,000,000 combined single limit for both Bodily Injury and Property Damage. All policies of insurance shall name each of the Indemnitees as Additional Insureds. General Liability Additional Insured Endorsement shall be on Insurance Service Office's (ISO) form number CG 20 26 11 85. Permittee will provide proof of insurance satisfactory to GIPEC prior to commencing any activities pursuant to this Permit.
7. GIPEC shall not be liable for any costs incurred by proposers in the preparation of proposals or for any work performed in connection therein.
8. Proposers should be aware that this concession will be developed and operated pursuant to a permit issued by GIPEC. In the event this agreement is terminated, GIPEC will not consider proposals for reimbursement of Permittee's unamortized capital improvement costs as of the date of termination.
9. A proposer may submit a modified proposal to replace all or any portion of a proposal submitted up until the proposal submission deadline. Only the latest version of the proposal will be considered. Late proposals and late modifications will not be considered for evaluation. Proposers may withdraw their proposals

from consideration at any time before the proposal deadline. To withdraw a proposal, the proposer must provide GIPEC with written notification.