



Princess Juliana
International Airport

FORM OF PROPOSAL

Package No. 12/23

FOR A FOOD & BEVERAGE FOOD TRUCK CONCESSION OUTSIDE THE TERMINAL OF THE AIRPORT 2020 – 2022



PRINCESS JULIANA INTERNATIONAL AIRPORT

OPERATED BY PRINCESS JULIANA INTERNATIONAL AIRPORT OPERATING COMPANY (PJIAE)

PHONE: +1-721-546-7542

FAX: +1-721-546-7550

SINT MAARTEN

CLOSING 4:00 P.M. SINT MAARTEN TIME DECEMBER 27, 2019

TABLE OF CONTENTS

1.0	OFFER	3
2.0	SCHEDULES.....	3
3.0	ADDENDA.....	5
4.0	EXECUTION OF THE CONCESSION AGREEMENT BY THE APPLICANT	5
5.0	TIMELY COMPLETION.....	5
6.0	GENERAL AND SUNDRY	5
7.0	DECLARATION	6
	SCHEDULE 1	10
	SCHEDULE 2	11
	SCHEDULE 3	13
	SCHEDULE 4	14
	SCHEDULE 5	15
	SCHEDULE 6	16
	SCHEDULE 7	17
	SCHEDULE 8.....	18
	SCHEDULE 9.....	20

FORM OF PROPOSAL

TO: PRINCESS JULIANA INTERNATIONAL AIRPORT OPERATING COMPANY (“PJIAE”)

RE: REQUEST FOR PROPOSALS (the “Proposals”) for the development and operation of a Food Truck Concession outside the TERMINAL BUILDING at Princess Juliana International Airport (the “Airport”).

All words and phrases, which are defined terms in the Request for Proposals Package, have the same respective meanings herein unless otherwise stipulated herein.

1.0 OFFER

We, _____,
(Name of Applicant)

of _____
(Address of Applicant)

Pursuant to and in compliance with the Request for Proposals and the addenda listed below, and being familiar with the requirements for performance under the Request for Proposals and the other Documents as defined in the Request for Proposals, and being familiar with conditions at the Airport and all relevant laws, rules, regulations, government permit requirements, labor market, and other circumstances that may affect our Proposal, We hereby offer and propose, if selected by PJIAE, to:

- (a) Design, develop, construct and fit-out the Proposed Concession identified in the Request for Proposals in accordance with the requirements set out in the Request for Proposals including the Concession Design Criteria Guidelines and Concessionaire Design Criteria Manual;
- (a) Within fifteen (15) days after notice of award from PJIAE, enter into the Standard Concession Agreement, which will be provided by PJIAE along with the notice of award, as defined and provided for in Section 10.0 under PART I, INVITATION AND INSTRUCTIONS of the Request for Proposals;
- (b) Provide a Security Deposit in the sum as stipulated in Section 8.11 Submission of Proposals under PART I, INVITATION AND INSTRUCTIONS of the Request for Proposals;
- (c) Operate and perform in a diligent manner in accordance with the terms and conditions of the Concession Agreement and dates stipulated in the construction schedule.

The Applicant covenants that its Proposal herein will be open for acceptance by PJIAE at any time.

2.0 SCHEDULES

The following Schedules are attached to and form part of this Proposal:

- (1) Proposal for Slot Machines – Slot Machines;
- (2) Company Profile;
- (3) Financial Capability and Experience;
- (4) Marketing, Pricing and Merchandising Plan;
- (5) Customer Service and Quality Control;
- (6) Design, Development and Construction Plan;
- (7) Storage Space Requirements;

Form of Proposal for the
Request for Proposals for a Food & Beverage Food Truck Concession on the outside the
TERMINAL of the PRINCESS JULIANA INTERNATIONAL AIRPORT, SINT MAARTEN

- (8) Financial Proposal;
- (9) Proposal Checklist and Acknowledgement.

The Schedules that are incorporated herein by reference form part of this Proposal.

3.0 ADDENDA

Receipt of the following Addenda forming part of this Proposal is acknowledged:

Addendum No.

Date

4.0 EXECUTION OF THE CONCESSION AGREEMENT BY THE APPLICANT

If the Applicant fails to execute the Concession Agreement within the stipulated fifteen (15) day period provided in Part I sub (b) of this form of proposal, then (without limiting PJIAE's other rights and remedies) PJIAE may consider the Applicant to have repudiated. The Applicant will not be permitted, without the written consent of PJIAE to open the Premises for business before having executed the Concession Agreement. Such consent, if given, shall be without prejudice to PJIAE's right to require the Applicant to execute the Concession Agreement and PJIAE's other rights.

If the Applicant is permitted to open the Premises for business before having executed the Concession Agreement, then, notwithstanding anything contained herein or in the Concession Agreement, until such time as the Applicant executes the Concession Agreement, PJIAE shall be entitled to withdraw the Concession Agreement and declare the agreement between the parties arising from its acceptance terminated and to terminate the tenancy of the Applicant upon five (5) days' notice, whereupon the Applicant shall vacate, deliver up possession of the Premises and forfeit any security provided under the Concession Agreement.

5.0 TIMELY COMPLETION

If the Applicant fails or omits to make timely submission to PJIAE of any plans or specifications or fails in submitting information or in giving necessary authorizations or fails to perform or complete or delays in performing or completing any work to be carried out by the Applicant or in any manner delays or interferes with the performance of any work to be carried out by PJIAE, then PJIAE may, in addition to any other rightful remedy, pursue any of the following remedies as PJIAE may elect:

- (a) PJIAE may give the Applicant five (5) days' notice in writing that if some specific failure, omission, or delay is not cured by the date therein stated the Concession Agreement may at PJIAE's option be forthwith cancelled and terminated by PJIAE but without prejudice to PJIAE's rights; and
- (b) PJIAE may after written notice of its intention so to do proceed on behalf of the Applicant at the Applicant's sole cost, risk and expense, including expense for such overtime as PJIAE's architect may deem necessary, with the completion of the work to be carried out by the Applicant.

6.0 GENERAL AND SUNDRY

- (a) The rights of the Applicant, if selected by PJIAE, may not be assigned without the prior written consent of PJIAE. The Applicant will not assign or sublet or part with possession of any of the Premises except in compliance with the terms and conditions set out in the Concession Agreement.

- (b) The description and plans relative to the Premises as set out in the Request for Proposals will not be construed as limiting the right of PJIAE to enlarge the site of the Building (as defined in the Concession Agreement), to add Premises or structures to the Building, to revise or alter the plans, or to change the configuration or location of the Premises (provided that such change in the configuration or location does not materially and adversely affect the interests of the Applicant). If PJIAE makes a change in the area of the Premises or location of the Premises which materially and adversely affects the Applicant, then, within the earlier of ten (10) days after notice from PJIAE of such change or three (3) days after the commencement of the Fixturing Period, the Applicant will be entitled to terminate its obligations relative to the Concession Agreement by notice in writing to PJIAE and in such event the deposit will be returned to the Applicant and the parties will have no further claim against each other; otherwise, the Applicant will be deemed to have accepted the area of the Premises set out above and the configuration and location of the Premises (subject only to the provisions of the Concession Agreement regarding measurement of the Floor Area of the Premises).
- (c) If the Applicant is comprised of more than one person, then the obligations of the said persons will be joint and several.
- (d) The Applicant covenants that neither the Concession Agreement nor any claim based on the Concession Agreement or related to the Request for Proposal or this Form of Proposal will be filed or registered in any Land Title Office.

7.0 DECLARATION

The Applicant acknowledges and declares:

- (a) That the Applicant has complied with all requirements under Part I, INVITATION AND INSTRUCTIONS and elsewhere in the Request for Proposals;
- (b) That, in submitting this Proposal, the Applicant is not relying on any information or documents provided on behalf of PJIAE other than the Documents as defined in the Request for Proposals;
- (c) That the Supporting Information, market data and forecasts, information and statements set out in Appendix C of the Request for Proposal are not warranted or guaranteed by PJIAE. The Applicant further acknowledges and declares that it shall not make any claim or assert any hardship if actual experience is at variance with the said Market Data and Forecasts, information and statements.
- (d) That this Proposal is genuine and not collusive or made in the interest of or on behalf of any person not named herein;
- (e) That the Applicant has not, directly or indirectly, induced, or solicited any other Applicant to submit a sham proposal or any other person to refrain from submitting a proposal, and that the Applicant has not in any manner sought by collusion to secure for the Applicant or for any other person any advantage over any other Applicant.

The Applicant confirms that by submitting this Proposal the Applicant accepts and agrees to be bound by all the terms and conditions set out under PART I, INVITATION AND INSTRUCTIONS, all Addenda and the rest of the Request for Proposal Documents.

Form of Proposal for the
Request for Proposals for a Food & Beverage Food Truck Concession on the outside the
TERMINAL of the PRINCESS JULIANA INTERNATIONAL AIRPORT, SINT MAARTEN

IN WITNESS WHEREOF, this Proposal has been executed on this _____ day of .

_____, by _____

CORPORATIONS/NATURAL PERSON)

)

)

)

)

Company:)

)

)

Doing Business As:)

)

)

Name)

)

)

Signature)

If applicable, Power of Attorney

Name)

)

)

Signature)

Attachment of Excerpt of the Chamber of Commerce

PARTNERSHIPS/JOINT VENTURES

Name of Partnership/Joint Venture

By its Members:

(1) _____ Name of Member

(2) _____ Name of Member

(Each Partner or Joint Venture member to sign below – attach additional pages as necessary)

_____)
Company: _____))
_____))
Doing Business As: _____))
_____))
Name _____))
Signature _____))
Name _____))
Signature _____))

If applicable, Power of Attorney

_____))
Name _____))
Signature _____))

Attachment of Excerpt of the Chamber of Commerce

Form of Proposal for the
Request for Proposals for a Food & Beverage Food Truck Concession on the outside the
TERMINAL of the PRINCESS JULIANA INTERNATIONAL AIRPORT, SINT MAARTEN

)
)
_____)
Company:)
)
)
_____)
Doing Business As:)
)
)
_____)
Name))
_____)
Signature))
_____)
Name))
_____)
Signature))

If applicable, Power of Attorney

Attachment of Excerpt of the Chamber of Commerce

SCHEDULE 1

PROPOSAL FOR FOOD TRUCK CONCESSION – FOOD TRUCK CONCEPT

1. The Applicant is submitting a Proposal for Food Truck Concession _____
comprising an area of approximately _____ square meters and will operate the Food Truck
Concession under the following **Operating and/or Brand Name:**

Operating Name _____

and/or

Brand Name _____

2. The Applicant undertakes to operate the Slot Machines under a **special purpose company as a distinct and separate business entity** whose revenues, expenses and financial records/statements will be maintained independently and not combined or consolidated with any other entity or branch of the Applicant.
3. A detailed description of the Applicant's concept including product types for the Food Truck is provided hereunder.

SCHEDULE 2
COMPANY PROFILE

1. Please complete "1(a)" and either "(b)", or "(c)", whichever is applicable.

(a) Name of Company (full legal name):

Business or Operating Name:

Full Street Address: Courier Address (if different):

Telephone: (_____) _____

Fax: (_____) _____

Email: _____

Contact Name:

Position:

(b) CORPORATION STATEMENT: **(Only if Corporation, answer the following)**

CORPORATIONS must provide a copy of their certificate of incorporation as part of their Proposal.

Year of Incorporation _____

Where Incorporated? _____

Address of Registered Office in St. Maarten:

Form of Proposal for the
Request for Proposals for a Food & Beverage Food Truck Concession on the outside the
TERMINAL of the PRINCESS JULIANA INTERNATIONAL AIRPORT, SINT MAARTEN

Please provide a breakdown of the ownership of the Corporation as follows:

Name Address

Share %

(c) JOINT VENTURE STATEMENT: **(Only if Joint Venture, answer the following)**

Date and Place of Organization: _____

Is the Joint Venture:

- () An un-incorporated association that is not a partnership
- () A partnership

What is the purpose of the Joint Venture:

Name and Address of each party to the Joint Venture:

Name Address

% of Ownership

- 2. Indicate the number of personnel in the Company: _____
- 3. Attach Company Organization Chart.
- 4. This Company is a subsidiary of _____
- 5. Companies subsidiary to this Company are _____

Attach additional pages as required.

SCHEDULE 3
FINANCIAL CAPABILITY AND EXPERIENCE

1. List relevant Food Truck businesses or facilities operated by Applicant in the last five years. Highlight any specific experience in operating Food Truck businesses or facilities. Also provide the following:

- a) Facility or Airport name, location, address and square meter size of premises.
- b) The actual gross sales generated by the concession each year.

2. Attach audited financial statements for the last three (3) years including Balance Sheet, Income Statement, Statement of Retained Earnings and Statement of Changes in Financial Position. Also please provide the following Annual Revenue by Year:

2017	_____
2016	_____
2015	_____

3. LETTERS OF REFERENCES

Credit reference from local bank or from a financial institution.

4. Industry Knowledge

Describe recent dynamics and trends in the Entertainment industry and how the Applicant would like to apply its knowledge and experience to the Terminal Building of Princess Juliana International Airport.

5. Management Team

- (a) Provide a description of the management structure that Applicant will be using to operate the Proposed Concession.
- (b) Provide a list of all key personnel and description of the responsibilities and duties of each team member. Attach resumes (if any) for these individuals detailing qualifications, employment history and experience.

Attach additional pages as required.

SCHEDULE 4

MARKETING, PRICING AND MERCHANDISING PLAN

1. Overall Marketing Strategy

- a) Describe the marketing strategy Applicant will use in the promotion of the Food Truck Concession with emphasis on obtaining maximum patronage and revenues.
- b) Provide a description of the Applicants overall advertising and promotion program and the activities aimed at increasing awareness of its Food Truck Concession. Also indicate what measure the Applicant will undertake within the local market to increase the awareness of the Food Truck concession.

2. Merchandising Plan and Pricing Philosophy

- a) Provide a complete list of proposed, items shown on electronic screens, including brand and prices for each item.
- b) Describe the merchandising strategy to be employed in the design, layout and finish of displays along with any innovative measures to be included in this program.
- c) Describe your approach to product placement with respect to this location outlet.
- d) Describe your philosophical approach to atmospherics for this concession in order to achieve maximum patronage and optimize sales.

As noted in Part I Section 3.0 of the Request for Proposals, the proposed Food Truck will be as set out by the applicant in its proposal, and will be, subject to approval of PJIAE, while PJIAE's decision shall be final.

The permitted Food Truck, as may be approved by PJIAE, will be reproduced as Schedule C of the Draft Standard Concession Agreement.

3. Pricing Philosophy

- a) Describe Applicant's overall pricing concept, including how initial prices will be determined, and philosophy including its plans for administering and maintaining the pricing program.

All concessionaires at the Airport are to operate under a "Fair Pricing" regime. Fair pricing requires that airport shops, restaurants and services offer products at prices comparable to what they charge at similar outlets in St. Maarten. Higher pricing for products may only be acceptable upon approval of PJIAE.

Attach additional pages as required.

SCHEDULE 5
CUSTOMER SERVICE AND QUALITY CONTROL

Include the performance measurement criteria and related programs for each of the following areas:

1. Customer Service Program:

- a) Outline the customer service program to be provided for the Food Truck Concession, including a description of Applicant's specific approach to serving customers, along with any unique aspects of Applicant's customer service philosophy, including employee staff training. Any employee training and/or sales training manuals may be submitted.
- b) Outline the program the Applicant shall use to monitor customer levels of service and satisfaction.

2. Quality Control:

Outline the quality control program that will be implemented for the Food Truck Concession and how Applicant will ensure that quality controls are maintained, and deficiencies addressed.

Provide detailed description of the customer service and quality control programs that will be developed, implemented and employed for the operation of the Proposed Concession.

SCHEDULE 6

DESIGN, DEVELOPMENT AND CONSTRUCTION PLAN

1. Provide details of the Applicant's proposed Premises and how the "Sense of Place" theme will be addressed/achieved.
2. The Capital Investment Breakdown for the Premises must be provided below:

CAPITAL INVESTMENT BREAKDOWN

Design and Engineering	\$
Construction:	
Equipment:	
SUBTOTAL	\$
Contingency:	
TOTAL	\$

Please note that at the end of the Term any capital investments made in the Premises will not be refunded.

3. Concept Renderings

Applicants are required to submit concept plans for the Premises. The concept plans should be comprised of the following elements:

- o Preliminary Dimensioned Space Plan and descriptive written narrative in support of the Proposal;
- o Concept Elevation Renderings showing perspective(s) with storefront signage;

4. Construction Timetable

- a) Provide detailed construction timetable demonstrating how the construction work will be completed on time with the Premises being fully operational and ready for business by **March 1, 2020** at the latest

SCHEDULE 7
STORAGE SPACE REQUIREMENTS

1. Does the Applicant have a need for and wish to rent remote concession storage space?

YES / NO: *(circle what's applicable)*

2. Please indicate the amount of storage space that is required.

The Applicant wishes to rent approximately _____ square meters of storage space. Storage space rent is NAF66.20 or US\$36.78 per square meter per month.

Any uncertainty regarding storage space will not affect the Applicant's obligations relative to the rest of this Request for Proposals. If such uncertainty is claimed, then PJIAE may elect to sever the storage space from the overall arrangement, and the remainder of the Request for Proposal and Documents will be binding and enforceable upon the Applicant.

SCHEDULE 8
FINANCIAL PROPOSAL FOR FOOD TRUCK CONCESSION

Concession Percentage

Please fill in the applicable items in the spaces provided below and have this page initialed by a managing director or an authorized company officer.

The proposed Concession Percentage of Gross Sales is to be proposed by the Applicant. Please limit the percentage to one digit after the decimal point.

Term	(B) Gross Sales	(C) Winnings	(D) MAG	(E) Concession Sales %	(F) % of Sales in Dollar Amount	(G) MAG or % (higher of)
Mar 1, 2020 – Feb 30, 2021 Mar 1, 2021 – Feb 30, 2022						

DATE: _____

AUTHORIZED SIGNATORY: _____

Schedule 8

FINANCIAL PROPOSAL cont:

Each Applicant shall prepare Projected Income Statements covering the 2-year period from March 1, 2020 to February 30, 2022 for the Proposed Food Truck Concession. A breakdown of revenues and expenditures shall be provided for each year as follows:

Period

March 1, 2020 to February 30, 2021
March 1, 2021 to February 30, 2022

Revenues shall be detailed by categories. Expenses shall be broken down into the following categories: Operating costs, equipment, wages and salaries, interest, insurance, advertising, depreciation, other expenses (before rent and taxes).

All assumptions and key hypotheses supporting the financial projections should be stated. The financial projections should be based upon management's best estimates with respect to the likely future operating results. The forecasted figures must be reasonable and realistic.

To assist the Applicants in preparing this information and to help PJIAE analyze the proposals being submitted a USB MEMORY STICK should be included with the RFP package. We would ask that you input the required information onto the Excel spreadsheet and include a USB MEMORY STICK with your RFP. A hard copy of the completed spreadsheet should also be included with the RFP in case the USB MEMORY STICK becomes corrupted or the file is erased.

Additionally, each applicant should submit a Start-up Budget indication what cost will be associated with the realization of the concession.

SCHEDULE 9
PROPOSAL CHECKLIST AND ACKNOWLEDGEMENT

The Applicant is to submit the following checklist, required forms and written documents with this Proposal:

- Cover Letter
- Security Deposit in the sum of 2 months Concession MAG fee payment
- Form of Proposal
- Schedule 1 – Proposal for Slot Machines Concept
- Schedule 2 - Company Profile
- Schedule 3 – Financial Capability and Experience
- Schedule 4 - Marketing, Pricing and Merchandising Plan
- Schedule 5 – Customer Service and Quality Control
- Schedule 6 - Design, Development and Construction
- Schedule 7 - Storage Requirements
- Schedule 8 – Financial Proposal
- Schedule 9 - Proposal Checklist and Acknowledgement
- USB Memory Stick

Date

Authorized Signatory

Date

Authorized Signatory

NOTE: ONE ORIGINAL AND THREE COPIES OF THE PROPOSAL MUST BE SUBMITTED