

## Craft Beer Pouring Rights Request for Proposal

### Appendix B – Proposal Submission Forms

#### Form 1

SUBMISSION CHECKLIST	
<b>SUBMISSION PACKAGE</b>	√
<p>Please ensure the submission package contains the following forms complete (one copy of each):</p> <ul style="list-style-type: none"> <li>• Proponent Declaration</li> <li>• Conflict of Interest Declaration</li> <li>• Mandatory Checklist</li> <li>• Confidentiality Agreement</li> </ul>	
<p>There shall be will be one (1) soft copy, contained in the submission package, of responses to the following sections found in the RFP:</p> <ul style="list-style-type: none"> <li>• Section 6.3.1</li> <li>• Section 6.3.2</li> <li>• Section 6.3.3</li> <li>• Section 6.3.4</li> <li>• Section 6.3.5</li> </ul>	

## Form 2

### RFP Proponent – Declaration

#### **This Declaration is required with the RFP Submission.**

(Capitalized terms have the meanings ascribed thereto in the RFP)

On behalf of and with the authority of the RFP Proponent I/we:

1. hereby apply to be selected as the Preferred Proponent to provide Craft Beer Pouring Rights in accordance with the provisions and terms and conditions of the RFP and in accordance with applicable legislation, regulations and standards as amended and issued from time to time;
2. certify, represent and warrant that the information the RFP Proponent has supplied in support of this RFP Submission is true, correct and complete in every respect and remains valid, accurate and complete through to the end of the Craft Beer Pouring Rights Agreement negotiations unless OCC is otherwise notified;
3. acknowledge that the RFP Submission submitted with this Declaration is only one stage of procurement and the OCC may terminate the RFP process at any time;
4. acknowledge that in the event that I/we are selected as the Preferred or Alternate Proponent I/we will be required to attend further information sessions, tours, question and answer meetings, undertake our own process of due diligence and continue in the process all at our own cost and without claim against or indemnity from OCC, the OCC Board, and OCC staff;
5. consent, pursuant to section 17(3) of the *Freedom of Information and Protection of Privacy Act* (the "Act"), if applicable, to the disclosure on a confidential basis of the RFP Submission by the OCC to such individuals or other parties as may be required for the purpose of reviewing the RFP Submission to administer the RFP process;
6. consent to the public disclosure of all information listed in the RFP Submission by the RFP Proponent as information which may be disclosed to the public;
7. consent to the disclosure, on a confidential basis, of information held by a third party (including a municipality or other government) regarding the RFP Submission to the OCC as the OCC may require, for the purpose of reviewing the RFP Submission to administer the selection process; and

8. agree that

- i) It has read and understood all of the elements of the RFP;
- ii) It agrees to comply with the RFP requirements and agrees to negotiate in good faith to finalize the terms of the Craft Beer Pouring Rights Agreement;
- iii) It has undertaken its due diligence and accepts the characteristics and constraints of the Facility, and the objectives of OCC; and
- iv) It waives any claim as a result of not having undertaken sufficient due diligence;

Signed, Sealed and Delivered in the presence of

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Corporation

\_\_\_\_\_  
Signature of Authorized Signing Officer

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**If second signature required**

Signed, Sealed and Delivered in the presence of

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Corporation

\_\_\_\_\_  
Signature of Authorized Signing Officer

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

[Additional Signature lines may be added]

## Form 3

### Conflict of Interest Declaration

**This Declaration is required with the RFP Submission.**

(Capitalized terms have the meanings ascribed thereto in the RFP)

On behalf of and with the authority of the RFP Proponent I/we confirm as follows:

(i) Strike out paragraph (a) or (b), whichever does NOT apply:

a) The RFP Proponent does not and will not have any conflict of interest, actual or potential, in submitting its RFP Submission or, if selected, with the contractual obligations of the RFP Successful Proponent under the proposed Craft Beer Pouring Rights Agreement and does not and will not have any current or former business interests that are or potentially are in conflict;

or

b) The following is a list of situations, each of which may be a conflict of interest or an instance of unfair advantage, or appears as potentially a conflict of interest or unfair advantage in submitting the RFP Submission or performing or observing the contractual obligations under any eventual Craft Beer Pouring Rights Agreement. I/we submit the following situations for review and decision by the OCC and agree to abide by the OCC's decision as to whether the conflict or advantage, or potential conflicts or advantage, is of a sufficient character as to disqualify our RFP Submission.


ii) The RFP Proponent has not knowingly **hired or retained an employee or former employee of OCC or the OCC's consultants or advisors involved in the development of the OCC's RFP process**; and

iii) The RFP Proponent do/do not and have/have not [strike out the inappropriate portions] had access to any confidential information of the OCC, other than confidential information disclosed to RFP Proponents in the normal course of the RFP process, where the confidential information is relevant to the services required by the RFP process, or the RFP assessment process and where the disclosure of the confidential information could result in prejudice to the funding partners as described in the RFP and/or OCC or an unfair advantage to the RFP Proponent.

iv) The following people participated in the preparation of the RFP Submission

Name	Address	Telephone Number
1.		
2.		
3.		
4. etc.		

v) The following is a list of individuals who are former employees of the OCC, OCC consultants or advisors whom the RFP Proponent, has either currently appointed to its Board of Directors or currently employed:

Name of Individual	Job Classification of Last Position	Last Date of Employment
1.		
2.		
3.		

Dated at: \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Name of Corporation

\_\_\_\_\_  
(Signature of Authorized Signing Officer)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Phone Number

**If second signature required**

\_\_\_\_\_  
Name of Corporation

\_\_\_\_\_  
(Signature of Authorized Signing Officer)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Phone Number

## Mandatory Checklist

RFP PROPONENT MANDATORY CHECKLIST		
This checklist is provided for guidance and Proponents must ensure that they have thoroughly read the documents and responded to all mandatory requirements.		
Criteria	MANDATORY	CHECK
1. The RFP Proponent must acknowledge and confirm their capacity and capability to meet the volume of business as outlined in the Section 5.1 Scope of Services Required.	X	
2. The RFP Proponent must abide by all applicable legislation and regulations that govern working in or in relationship to the OCC.	X	
3. The RFP Proponent must acknowledge that their philosophy will compliment and be compatible with the OCC's vision, core purpose and economic mandate as outlined in Section 3 of the RFP	X	
4. The RFP Proponent must acknowledge that other service providers under contract with the OCC may offer some of the same or similar services as the non-exclusive services. i.e. main beer pouring rights partner	X	
5. The RFP Proponent must acknowledge that the prices will be competitive and ongoing review of prices is required to ensure competitiveness.	X	