



Contract No.: 595-10232-2

**Agreement to Supply: AIKIDO PROGRAM INSTRUCTION SERVICES**

This agreement, made and entered into this the 2 day of September, 2009, is by and between the CITY OF FORT LAUDERDALE, a Florida municipality, City Hall, 100 North Andrews Avenue, Fort Lauderdale, FL 33301, hereinafter called the "City" and Contractor:

Name: Aikido Florida Aikikai, Inc.

Address: 3326 Farragut Street, #6H City: Hollywood State: FL Zip: 33021

A Corporation  A Partnership  An Individual  Other: \_\_\_\_\_

authorized to do business in the State of Florida, hereinafter called the "Company" or "Contractor." Witnesseth that: Whereas, the City did issue a Request for Proposal (RFP) for supplying the requirements of the City for the items and/or service listed above for a period of **one year, with four one-year extension options**, and the Contractor submitted a proposal that was accepted and approved by the City.

Formal authorization of this contract was adopted by the City Commission on: April 7, 2009, Pur-02, CAR 09-0353

Now, therefore, for and in consideration of the mutual promises and covenants herein contained, the parties covenant and agree as follows:

1. The Company agrees to provide to the City Aikido program instruction services during the period beginning 05/01/09 and ending 04/30/10 for the requirements listed above and according to the following specifications, terms, covenants and conditions:

a. This contract form G-110, the Request for Proposal containing General Conditions, Special Conditions, Specifications, addenda, if any, and other attachments forming a part of RFP Number **595-10232**, the Contractor's Revised Cost Information in response to Addendum No. 1 to the RFP, and the Contractor's proposal in response to the RFP form a part of this contract and by reference are incorporated herein.

b. In construing the rights and obligations between the parties, the order of priority in cases of conflict between the documents shall be as follows:

- 1) This contract Form G-110, Rev. 12/00
- 2) The City's RFP and all addenda thereto
- 3) Contractor's Revised Cost Information in response to Addendum No. 1 to the City's RFP
- 4) Contractor's bid/proposal in response to the City's RFP

c. **Warranty:** The Company by executing this contract embodying the terms herein warrants that the product and/or service that is supplied to the City shall remain fully in accord with the specifications and be of the highest quality. In the event any product and/or service as supplied to the City is found to be defective or does not conform to specifications the City reserves the right to cancel that order upon written notice to the Contractor and to adjust billing accordingly.

d. **Cancellation:** The City may cancel this contract upon notice in writing should the Contractor fail to reasonably perform the service of furnishing the products and/or services as specified herein upon 30 days written notice. This applies to all items of goods or services.

e. **Taxes Exempt:** State Sales (85-8013875578C-1) and Federal Excise (59-600319) Taxes are normally exempt, however, certain transactions are taxable. Consult your tax practitioner for guidance where necessary.

**2. Contract Special Conditions:** The following special conditions are made a part of and modify the standard provisions contained in this contract Form G-110.

**3. Contract Summary:**

a. Attachments:

**Aikido Florida Aikikai, Inc.'s response to the RFP, Addendum No. 1, Contractor's Revised Cost Information in response to Addendum No. 1 to the RFP, and a copy of the RFP document.**

b. Payment Terms: Per RFP

c. Delivery: Per RFP

d. Insurance: Yes  No

e. Performance Bond/Letter of Credit: Yes  No

f. Procurement Specialist's Initials: AD

**4. Contractor's Phone Numbers:** Office: **954-981-4824**

**5. Contractor's Fax Number:** **954-893-3404**

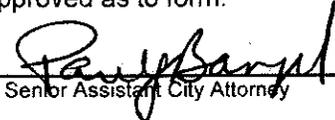
**6. Contractor's E-Mail Address:** bernath@bellsouth.net

**City of Fort Lauderdale**

By:   
Director of Procurement Services (City Manager's Designee)

Date: 8/2/09

Approved as to form:

  
Senior Assistant City Attorney

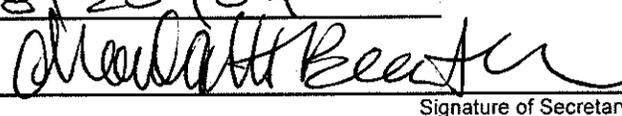
**Contractor/Vendor**

Peter Bernath  
Name of Company Officer (please type or print)

By:   
Authorized Officer's Signature

Title: Owner

Date: 8/20/09

Attest:   
Signature of Secretary

Charlotte Bernath  
Secretary (please type or print)

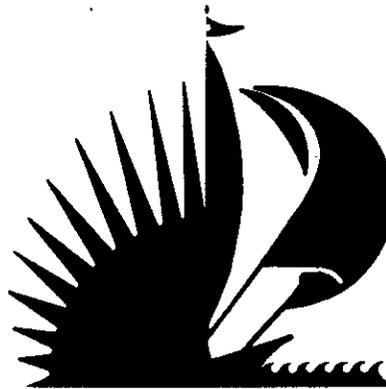
**Request for Proposal**

**595-10232**

**Program Instruction Services  
(Yoga & Aikido)**

**Opens: March 2, 2009  
2:00 p.m.**

**CONTRACT  
COPY**



City of Fort Lauderdale

**Issued for Parks and Recreation Department  
by the Procurement Services Department**

AnnDebra Diaz  
**(954) 828-5949**

**E-mail:** [adiaz@fortlauderdale.gov](mailto:adiaz@fortlauderdale.gov)

**Visit us on the web at** [www.fortlauderdale.gov/purchasing](http://www.fortlauderdale.gov/purchasing)

**(954) 828-5140**

**ORIGINAL  
BID**

**PROPOSAL RESPONSE PAGES - PART I  
COST INFORMATION  
RFP 742-9013**

Annual Concession Fee payable to the City, to be paid in equal monthly payments in advance:

01. YOGA

Annual concession fee first contract year: \$ \_\_\_\_\_ (minimum acceptable \$21,100)

All subsequent renewal terms shall require a minimum of 5% increase in annual concession fee.

02. AIKIDO

Annual concession fee first contract year: \$ 16,044.<sup>00</sup> (minimum acceptable \$16,000)

All subsequent renewal terms shall require a minimum of 5% increase in annual concession fee.

## **PROPOSAL RESPONSE PAGES - PART II TECHNICAL PROPOSAL**

The following issues should be fully responded to in your proposal in concise narrative form. Each issue should be referenced and be presented in the following order:

1. Understanding of the City's needs for yoga and/or aikido instruction services and your overall approach to those needs.
2. Approach and concept for the provision of yoga and/or aikido instruction services.
3. Credentials, References, Professional Affiliations and Certifications for Contractor and their employees to be used in service.
4. Number of years teaching yoga and/or aikido.
5. Types of equipment, teaching aides the contractor provides. Any equipment, teaching aides expected to be provided by City.
6. Number of students instructed in the past year.
7. Number of classes and levels of classes instructed in the past year.
8. Detailed lesson progressions of instruction to be offered.
9. Student/Instructor ratio.
10. Program Fees to be charged to students.

**PROPOSAL RESPONSE PAGES - PART IV**  
**NON-COLLUSION STATEMENT**

By signing this offer, the vendor/contractor certifies that this offer is made independently and free from collusion. Vendor shall disclose below any City of Fort Lauderdale, FL officer or employee, or any relative of any such officer or employee who is an officer or director of, or has a material interest in, the vendor's business, who is in a position to influence this procurement.

Any City of Fort Lauderdale, FL officer or employee who has any input into the writing of specifications or requirements, solicitation of offers, decision to award, evaluation of offers, or any other activity pertinent to this procurement is presumed, for purposes hereof, to be in a position to influence this procurement.

For purposes hereof, a person has a material interest if they directly or indirectly own more than 5 percent of the total assets or capital stock of any business entity, or if they otherwise stand to personally gain if the contract is awarded to this vendor.

In accordance with City of Fort Lauderdale, FL Policy and Standards Manual, 6.10.8.3,

3.3. City employees may not contract with the City through any corporation or business entity in which they or their immediate family members hold a controlling financial interest (e.g. ownership of five (5) percent or more).

3.4. Immediate family members (spouse, parents and children) are also prohibited from contracting with the City subject to the same general rules.

Failure of a vendor to disclose any relationship described herein shall be reason for debarment in accordance with the provisions of the City Procurement Code.

**NAME**

**RELATIONSHIPS**

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In the event the vendor does not indicate any names, the City shall interpret this to mean that the vendor has indicated that no such relationships exist.

**PROPOSAL RESPONSE PAGES - PART III  
QUESTIONNAIRE**

1. Number of years experience the proposer has had in providing similar services:  
29 years
2. List clients for whom you have provided similar services in the last three years. Provide agency name, address, telephone number, contact person, and date service was provided. If services provided differs from the one presented in your proposal, please delineate such differences.
3. List those City of Fort Lauderdale agencies with which the proposer has had contracts or agreements during the past three (3) years: City of Fort Lauderdale  
Parks and Recreation Department.
4. Lawsuits (any) pending or completed involving the corporation, partnership or individuals with more than ten percent (10%) interest: None
  - a. List all pending lawsuits which are concerned directly with the staff or part of your organization proposed for the contract: None
  - b. List all judgments from lawsuits in the last 5 years which are concerned directly with the staff or part of your organization proposed for the contract. None

The proposer understands that the information contained in these Proposal Pages is to be relied upon by the City in awarding the proposed Agreement, and such information is warranted by the proposer to be true. The proposer agrees to furnish such additional information, prior to acceptance of any proposal, relating to the qualifications of the proposer, as may be required by the City.

**COMPLETE AND RETURN THE REQUIRED NUMBER OF PROPOSAL PAGES AND ATTACHMENTS.**

**PROPOSAL IDENTIFICATION:** If mailed, please indicate on the face of your sealed proposal package the following:

RFP NO. 595-10232

OPENS 03/02/09

# PROPOSAL RESPONSE PAGES - PART V - BID/PROPOSAL SIGNATURE PAGE

**How to submit bids/proposals:** It is preferred that bids/proposals be submitted electronically at [www.bidsync.com](http://www.bidsync.com), unless otherwise stated in the bid packet. If mailing a hard copy, it will be the sole responsibility of the Bidder to ensure that the bid reaches the City of Fort Lauderdale, City Hall, Procurement Department, Suite 619, 100 N. Andrews Avenue, Fort Lauderdale, FL 33301, prior to the bid opening date and time listed. Bids/proposals submitted by fax or email will NOT be accepted. Please refer to Part VII for specific instructions for this RFP.

The below signed hereby agrees to furnish the following article(s) or services at the price(s) and terms stated subject to all instructions, conditions, specifications addenda, legal advertisement, and conditions contained in the bid. I have read all attachments including the specifications and fully understand what is required. By submitting this signed proposal I will accept a contract if approved by the CITY and such acceptance covers all terms, conditions, and specifications of this bid/proposal.

**Please Note:** If responding to this solicitation through BidSync, the electronic version of the bid response will prevail, unless a paper version is clearly marked by the bidder in some manner to indicate that it will supplant the electronic version.

Submitted by:  2/24/09  
(signature) (date)

Name (printed) Peter Bernath Title: Owner/Instructor

Company: (Legal Registration) Aikido Florida Aikikai

**CONTRACTOR, IF FOREIGN CORPORATION, MAY BE REQUIRED TO OBTAIN A CERTIFICATE OF AUTHORITY FROM THE DEPARTMENT OF STATE, IN ACCORDANCE WITH FLORIDA STATUTE §607.1501 (visit <http://www.dos.state.fl.us/doc/>).**

Address: 3326 Farragut St, #6H

City Hollywood State: FL Zip 33021

Telephone No. 954 981 4824 FAX No. 954-983-3404

E-MAIL: bernath@bellsouth.net

Delivery: Calendar days after receipt of Purchase Order (section 1.02 of General Conditions): \_\_\_\_\_

Payment Terms (section 1.03): \_\_\_\_\_ Total Bid Discount (section 1.04): \_\_\_\_\_

Does your firm qualify for MBE or WBE status (section 1.08): MBE \_\_\_\_\_ WBE \_\_\_\_\_

**ADDENDUM ACKNOWLEDGEMENT** - Proposer acknowledges that the following addenda have been received and are included in the proposal:

<u>Addendum No.</u>	<u>Date Issued</u>
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**VARIANCES:** State any variations to specifications, terms and conditions in the space provided below or reference in the space provided below all variances contained on other pages of bid, attachments or bid pages. No variations or exceptions by the Proposer will be deemed to be part of the bid submitted unless such variation or exception is listed and contained within the bid documents and referenced in the space provided below. If no statement is contained in the below space, it is hereby implied that your bid/proposal complies with the full scope of this solicitation. **HAVE YOU STATED ANY VARIANCES OR EXCEPTIONS BELOW? BIDDER MUST CLICK THE EXCEPTION LINK IF ANY VARIATION OR EXCEPTION IS TAKEN TO THE SPECIFICATIONS, TERMS AND CONDITIONS.**

Variations:

\_\_\_\_\_  
\_\_\_\_\_



City of Fort Lauderdale • Procurement Services Department  
100 N. Andrews Avenue, #619 • Fort Lauderdale, Florida 33301  
954-828-5933 FAX 954-828-5576  
[purchase@fortlauderdale.gov](mailto:purchase@fortlauderdale.gov)

## ADDENDUM NO. 1

RFP # 595-10232  
PROGRAM INSTRUCTION SERVICES, YOGA & AIKIDO

ISSUED February 20, 2009

The following changes are made to this Request For Proposal

1. Part IV, Section 21, second paragraph shall now read:

The minimum concession rental fee the City will accept for Yoga Instruction will be \$21,149.  
The minimum concession rental fee the City will accept for Aikido Instruction will be \$16,044.  
Annual concession fees will be subject to current Florida State Sales Tax.

2. The opening date of this Request for Proposal has been changed to March 6, 2009.

All other terms, conditions and specifications remain unchanged.

Please sign and return this addendum, either with your proposal or under separate cover, on or before the revised opening date of this RFP. If submitting this addendum under separate cover, please indicate the proposal number and opening date on the face of your envelope in the lower left-hand corner. Proposers may retrieve their proposals or send a corrected copy prior to the revised opening date.

AnnDebra Diaz, CPPB  
Procurement Services Department

Company  
Name:

Aikido Florida Aikikai

(please print)

Proposer's  
Signature:

Date:

2/24/09



City of Fort Lauderdale • Procurement Services Department  
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954-828-5933 FAX 954-828-5576  
[purchase@fortlauderdale.gov](mailto:purchase@fortlauderdale.gov)

**REVISED  
PROPOSAL RESPONSE PAGES - PART I  
COST INFORMATION  
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2/24/09

To: City of Fort Lauderdale

From: Peter Bernath

### **Aikido Program Proposal for the City of Fort Lauderdale**

The purpose of the Florida Aikikai Aikido is to provide the highest quality martial arts program for all the residents our community. Men, women and children of all ages can practice Aikido. We offer appropriate classes, for all levels of participants, at reasonable rates, in a safe, educational and exciting environment.

Chief instructor, Peter Bernath, is a 7<sup>th</sup> degree black belt and Shihan (master teacher) registered with both the United States Aikido Federation and Aikikai Hombu (world headquarters) in Tokyo, Japan. Mr. Bernath started his Aikido career in 1972 and has been teaching Aikido since 1976. He has studied under the highest-ranking Aikido masters in the United States and Japan.

All assistant instructors are at least 2<sup>nd</sup> degree black belts or higher. Our children's class instructors have all lived in Japan, speak fluent Japanese and have experience as educators and/or in social work.

Our training area contains a 2500 square foot traditional style tatami mat with a framed Olympic sprung wood floor. Aikido training weapons are provided for all students. No equipment will be need from the City.

Separate adult and children's classes are offered, mornings and evening, 7 days a week. We presently conduct 20 adult classes and 8 children's classes per week. Beginner and advanced classes are offered in both our adult and children's programs. Japanese language and culture are incorporated into each curriculum. Both programs offer beginner classes for new students and mixed level classes for more advanced, along with Aikido weapons training.

We also have periodic intensive weekend seminars for adults and a nine-week summer camp and one-week winter camp for children. The student teacher ratio in classes is approximately one instructor per 10 or less students.

Our promotional testing requirements are integrated into the adult and children's class curriculums. The techniques students practice in class are then performed in their examination when they have acquired the necessary practice days to be eligible for promotion.

The children's program utilizes a colored belt system for advancement. The adult uses a traditional Kyu (white belt) and Dan (black belt) system with 5 levels of Kyu rank and 10 levels of Dan rank. Adults are issued a certificate registered with the

United States Aikido Federal for each new rank. Children receive a certificate and colored belt.

We presently have 65 adults and 40 children under enrollment. In the past year over 300 residents have participated in the Aikido classes, camps and seminars we have offered.

Our monthly fee structure is \$110 for adults, \$200 for couples, \$90 for students, \$75 for children and \$65 for additional siblings.