



**Request for Proposals for  
Portable/Temporary Restroom Service  
Contract No. G7190**

**RFP Issued:** January 17, 2024

**Submission Deadline:** February 16, 2024 at 4:00 PM

**Important Notice:** A restricted period under the Procurement Lobbying Law is currently in effect for this Procurement and will remain in effect until a selection of the approved list of Respondent(s) is made. Respondents are prohibited from contact related to this Procurement with any Trust employee other than the designated contacts listed here: Christina Singh. All inquiries shall be made by email to the following address: [2024PortoiletRFP@hrpt.ny.gov](mailto:2024PortoiletRFP@hrpt.ny.gov). This RFP and all addenda and responses to questions will be posted on the Trust website at: <https://hudsonriverpark.org/about-us/bids-business-opportunities>

## **REQUEST FOR PROPOSALS FOR PORTABLE/TEMPORARY RESTROOM SERVICES**

The Hudson River Park Trust (“Trust”) is seeking proposals from qualified vendors for portable/temporary restroom service (“Portolets”) as more particularly described in the Scope of Services attached hereto as Exhibit A. Hudson River Park is a 4-mile-long waterfront park, located between the northern boundary of Battery Park City and West 59<sup>th</sup> Street. Portolets are utilized in the Park for daily operational use, public events, and for emergencies on an as needed basis. The Trust intends to enter into a contract with the selected respondent(s) for the period from April 1, 2024 through September 30, 2027.

The Trust is a New York State public benefit corporation created by New York State statute in 1998 and is also a 501(c)(3) nonprofit.

In response to this RFP, Respondents must complete the Fee Schedule attached hereto in Exhibit B and complete the required Respondent Information and other New York State Certifications forms provided in Exhibit C.

The Trust will rent Portolets from the selected respondent at the pricing submitted by the selected respondent on a routine and “as-needed” basis. The Trust does not guarantee that it will make any purchases through this solicitation. The Trust may reject all proposals and elect to re-solicit proposals if in its sole opinion it shall deem it in the best interest of the Trust. All respondents shall also review the Form of Contract that accompanies this RFP.

### **A. Proposal Structure and Content**

Respondents must include the following by the RFP Submission Deadline:

- The Respondent’s company name, mailing address, contact person, email address, and EIN number using the Respondent’s Certification form as provided in Exhibit C, included with this form, Respondent shall provide its Client List by providing contact information for a minimum of three (3) references of an entity similar to Hudson River Park Trust (which could be a government agency, non-profit, or for-profit business that rent portolets) that have been a customer of Respondent for more than one year
- Photos/Graphics/Renderings of the proposed units
- Proposed pricing using the form provided in Exhibit B.
- All additional forms required in Exhibit C which are also available in fillable form on the Trust’s bids and business opportunities website at:  
<https://hudsonriverpark.org/about-us/work-with-us/bids-and-business-opportunities/required-forms-procedures/>  
[Note, additional forms available on the Trust’s bids and business opportunities pages will be requested from the selected respondent prior to entering into the contract.]

Proposals may be submitted via regular mail, express mail, or hand delivered to the **Recipient Location** listed below. Proposals are due the **RFP Submission Deadline of February 16, 2023 no later than 4:00 pm**. Proposals received after the indicated date and hour and/or at a different location may not be considered.

**Recipient:** Christina Singh  
Email: [2024PortoletRFP@hrpt.ny.gov](mailto:2024PortoletRFP@hrpt.ny.gov)

**Recipient Location:** Hudson River Park Trust  
Pier 40, 2<sup>nd</sup> Floor, 353 West Street  
Room 204  
New York, New York 10014

**B. Question and Answer deadline**

1. Respondents may submit questions and requests for clarifications by the Question Due Deadline of January 31, 2024. Questions and clarifications should be sent in writing to this email address: [2024PortoletRFP@hrpt.ny.gov](mailto:2024PortoletRFP@hrpt.ny.gov).
2. Answers to Questions will be available on the Trust's website under [Bids and Business Opportunities](https://hudsonriverpark.org/about-us/work-with-us/bids-and-business-opportunities/) at <https://hudsonriverpark.org/about-us/work-with-us/bids-and-business-opportunities/> by February 2, 2024.

**C. Selection Criteria and Submission**

The Trust will review each respondent's proposal in its totality. Proposals will be evaluated based on the following criteria.

- Price Proposal – 50%
- Ability to Provide all Services in the Scope of Work – 40%
- References – 10%

**EXHIBIT A**  
**SCOPE OF SERVICES**

Temporary restroom units and cleaning services at various park locations within Hudson River Park are needed from April 1, 2024 to September 30, 2027. One portolet is needed at West 29<sup>th</sup> Street and one portolet is needed at West 34<sup>th</sup> Street during the term of the Contract. Each is used for daily operations and must be cleaned twice per month.

Additional portable units are needed for events and emergencies, on an as needed basis, as set forth in the table provided at Exhibit B.

The Proposer and as applicable the Portolets must meet the following requirements:

1. Units must have the ability to both lock for patron use, as well as on the exterior of all units during closed Park hours.
2. Cleaning process for all units.
3. Ability to service all units during the hours of 10pm and 8am.
4. Ability to request “On Call Services” – ie: additional units on less than twenty-four (24) hours’ notice and/or additional cleanings on less than twelve (12) hours’ notice, as well as emergency service needs (detailed in Exhibit B: Fee Schedule).
5. Ability to serve Park areas with limited road access – vendor is required to provide a delivery flatbed option and pumping unit option that weigh less than 10,000 lbs. respectively.
6. Quality general appearance of units.
7. Excellent customer service response and prompt/thorough follow-up.

**EXHIBIT B**  
**FEE SCHEDULE**

This Exhibit B is the Fee Schedule which includes the details of the portolet components requested. The last column must include Proposer's cost for the rentals and services as detailed below.

**Daily Operational Portable Restroom Requirements Per Year**

<b>Style of Unit/Quantity</b>	<b>Location</b>	<b>Frequency of Cleaning (2x/month)</b>	<b>Approximate Cost (incl. monthly rental + 2x/mo cleaning)</b>
Regular / 1	W. 29 <sup>th</sup> St	Wednesdays (8am-10am)	
Regular / 1	W. 34 <sup>th</sup> St	Wednesdays (8am-10am)	

**Breakdown of Potential Large Event Rental Needs Per Year**

<b>Event Name</b>	<b>Style of Units / Quantity</b>	<b>Cleaning Schedule</b>	<b>Approximate Date Range + Notes</b>	<b>Approximate Cost (incl. rentals + cleaning)</b>
Blues BBQ Festival	Reg – 100 ADA – 15  Handwashing Station - 15	On-site cleaning (2) attendees from 12pm-10pm	1 Saturday in Aug (portolets dropped off the Friday prior to event date; collected the following Monday)	
Pier 76 Internal Summer Programming	Reg – 8 ADA – 2 Handwash – 4	Twice per week	On site from May – early October.	
Submerge	Reg – 6 ADA – 2	1 cleaning between event dates	Mid-May 2-day event	
Release of the Fishes	Reg – 1 ADA – 1	N/A; unit collected after event	End of Oct 1-day event	
Pumpkin Smash	Reg – 2 ADA - 1	N/A; unit collected after event	Early Nov 1-day event	
Pride	Reg – 35 ADA – 12	No cleaning. An additional charge for vendor to hand push units into various locations.	Last weekend in June	
		Damage Waiver for all units		

**Emergency/Misc. Portolet Needs**

Style of Unit	Approximate Cost	Unit Specification (capacity, etc.)
Regular Portolet		
ADA Portolet		
Trailers (Pricing for all specs)		
Portable Handwashing Unit		
Freshwater Holding Tank		
Wastewater Holding Tank		
Emergency Services Drop Off (late night/weekend)		
Same Day Delivery Fee		
Damage Waiver Cost per regular unit		
Damage Waiver Cost per ADA unit		
Graffiti Removal Cost per unit		

**EXHIBIT C**  
**Proposal Forms**

**PROPOSAL SUBMITTED BY**  
**(THE “RESPONDENT”)**  
**RESPONDENT’S CERTIFICATION**

Signed By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Respondent’s Address: \_\_\_\_\_

Notice Address (if different from above): \_\_\_\_\_

Respondent’s E-mail Address: \_\_\_\_\_

Respondent’s Telephone Number: \_\_\_\_\_

Respondent’s Tax I.D. Number: \_\_\_\_\_

Provide three client references below:

Add photos, renderings or graphics of the proposed portolet units

### **Disclosure of Prior Non-Responsibility Determinations**

#### **Background:**

New York State Finance Law §139-k(2) obligates Hudson River Park Trust to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offerer must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms “Offerer” and “Governmental Entity” are defined in State Finance Law § 139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offerer fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offerer that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offerer is necessary to protect public property or public health safety, and that the Offerer is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j (10)(b) and 139-k(3).

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address:

Person Submitting this Form:

Name:  Title:

Contract Procurement Number:  Date:



1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years?

☐ No

☐ Yes

2. If yes to Question #1, then was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j?

☐ No

☐ Yes

☐ Not Applicable

3. If yes to Question #1, then was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity?

☐ No

☐ Yes

☐ Not Applicable

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity:

Date of Finding of Non-responsibility:

Basis of Finding of Non-Responsibility:

*(Add additional pages as necessary)*

**Disclosure of Prior Non-Responsibility Determinations**

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information?

☐ No

☐ Yes

6. If yes, please provide details below.

Governmental Entity:

Date of Termination or Withholding of Contract:

Basis of Termination or Withholding:

*(Add additional pages as necessary)*

Offerer certifies that all information provided to Hudson River Park Trust with respect to State Finance Law §139-k is complete, true and accurate.

By: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**Affirmation of Understanding of and Agreement pursuant to  
State Finance Law § 139-j (3) and § 139-j (6)(b)**

hereby affirms that it understands and agrees to comply with the procedures of the Hudson River Park Trust relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6)(b).

Signed:

Date:

Name:

Title:

Contractor Name:

Contractor Address:

**CERTIFICATION AND SIGNATURE FORM**  
**AFFIDAVIT OF NON-COLLUSION**

**Name of Respondent:** \_\_\_\_\_

**Business Name:** \_\_\_\_\_

**Business Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_ **Email:** \_\_\_\_\_

I hereby attest that I am the person responsible within my company for the final decision as to the prices(s) and amount of this bid/proposal or, if not, that I have written authorization form that person to make the statements set out below on his or her behalf and on behalf of my company.

I further attest that:

1. The prices in this bid/proposal have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other respondent or with any other competitor.
2. The respondent prior to the opening has disclosed neither the price(s) nor the amount of this proposal.
3. No attempt has been made to solicit, cause or induce any company or person to refrain from bidding on this project, or to submit a bid/proposal higher than the bid/proposal of this firm, or any intent ally high or non-competitive bid/proposal or other form of complementary bid/proposal.
4. The bid/proposal of my company is made in good faith and not pursuant to any agreement or discussion with, or inducement from any company or person to submit a complementary bid/proposal.
5. My company has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any other company or person, or offered, promised or paid case or anything of value to any company or person, whether in connection with this or any other project, in consideration for an agreement or promise by a company or person to refrain from bidding or to submit a complementary bid/proposal.
6. I have made a diligent inquiry of all members, officers, employees, and agents of my company with responsibilities relating to the preparation, approval or submission of my company's bid/proposal on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this affidavit.
7. By submission of this bid/proposal I certify that I have read, am familiar with, and will comply with any and all segments of these specifications.

The person signing this bid/proposal, under the penalties of perjury, affirms the truth thereof.

\_\_\_\_\_  
Signature & Company Position

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Print Name & Company Name

\_\_\_\_\_  
Federal ID Number

## **IRAN DIVESTMENT ACT CERTIFICATION**

1. I am responding to a competitive procurement to provide services and/or supplies on behalf of \_\_\_\_\_, to the HUDSON RIVER PARK TRUST pursuant to competitive procurement rules and regulations.
2. The address of the company or individual submitting the proposal is: \_\_\_\_\_
3. This certification is submitted pursuant to the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, and New York State Finance Law (SFL), Section 165-a, effective April 12, 2012, and the regulations promulgated thereunder. It is made under penalty of perjury, for the purpose of showing that the respondent has no "investment activities in Iran".
4. The respondent's taxpayer identifications number is: \_\_\_\_\_
5. The respondent/contractor does hereby certify that it is not engaged in "investment activities in Iran" as defined by the laws of the State of New York; nor will it invest or participate in such activities during the terms of the contract.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

# **Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia**

Executive Order No. 16 provides that “all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” The complete text of Executive Order No. 16 can be found [here](#).

The Executive Order remains in effect while sanctions imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations.

As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.

Is Vendor an entity conducting business operations in Russia, as defined above? Please answer by checking one of the following boxes:

- ☐ 1. **No, Vendor/Contractor does not conduct business operations in Russia within the meaning of Executive Order No. 16**
- ☐ 2. **a. Yes, Vendor/Contractor conducts business operations in Russia within the meaning of Executive Order No. 16 but has taken steps to wind down business operations in Russia or is in the process of winding down business operations in Russia. (Please provide a detailed description of the wind down process and a schedule for completion.)**
- ☐ 2.b. **Yes, Vendor/Contractor conducts business operations in Russia within the meaning of Executive Order No. 16 but only to the extent necessary to provide vital health and safety services within Russia or to comply with federal law, regulations, executive orders, or directives. (Please provide a detailed description of the services being provided or the relevant laws, regulations, etc.)**
- ☐ 3. **Yes, Vendor/Contractor conducts business operations in Russia within the meaning of Executive Order No. 16.**

The undersigned certifies under penalties of perjury that they are knowledgeable about the Vendor’s business and operations and that the answer provided herein is true to the best of their knowledge and belief.

**Vendor/Contractor Name:**

(legal entity)

**By:**

(signature)

**Name:**

**Title:**

**Date:**

## **CERTIFICATION OF INSTITUTING POLICIES AGAINST HARASSMENT & DISCRIMINATION**

In accordance with Executive Order No. 177, the Bidder hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

Contractor:  
(Business name):

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By  
(Authorized signatory<sup>1</sup>):

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Title:

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Date:

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<sup>1</sup> Form to be signed by an individual officially authorized to sign on behalf of business

## **EXHIBIT E**

### **MWBE AND SDVOB REQUIREMENTS**

Business Participation Opportunities for MWBEs. For purposes of this procurement, the Trust conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by MWBEs as subcontractors, service providers, and suppliers to the Consultant. Nevertheless, Respondents are encouraged to make good faith efforts to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials. The directory of New York State Certified MWBEs can be found at <https://ny.newnycontracts.com>.

Additionally, respondents are encouraged to contact the Division of Minority and Women's Business Development at (212) 803-2414 to discuss additional methods of maximizing participation by MWBEs on the Contract.

Contract Goals for SDVOBs. For purposes of this procurement, the Trust conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers, and suppliers to Contractor. Nevertheless, Respondents are encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs can be viewed at: <https://ogs.ny.gov/veterans>. Additionally, respondents are encouraged to contact the Office of General Services' Division of Service-Disabled Veteran's Business Development at 518-474-2015 or [VeteransDevelopment@ogs.ny.gov](mailto:VeteransDevelopment@ogs.ny.gov) to discuss methods of maximizing participation by SDVOBs on the Contract.