



*“Sea to Shining Sea”*  
*2018 Liberation Day Celebration*



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## CONCESSION APPLICATION

<u>Type of Concession</u>	<u>Concession Fee</u>
Food and Non-Alcoholic Beverages (4 to 25 April 2018)	\$500. <sup>00</sup>
Food and Non-Alcoholic Beverages (26 April to 16 May 2018)	\$650. <sup>00</sup>
Carnival Games	\$500. <sup>00</sup>
Souvenirs/Retail	\$200. <sup>00</sup>
Arts and Crafts	\$200. <sup>00</sup>
Alcoholic Beverages	\$1,200. <sup>00</sup>
Game of Chance	\$3,000. <sup>00</sup>

Name of Applicant: \_\_\_\_\_

Doing Business As (DBA): \_\_\_\_\_

Concession Type: \_\_\_\_\_ How many concession booths requested?: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone No. (day): \_\_\_\_\_ Phone No. (evening): \_\_\_\_\_ Cell Phone No. \_\_\_\_\_

Names of Team Lead: \_\_\_\_\_

Phone No. (day): \_\_\_\_\_ Phone No. (evening): \_\_\_\_\_ Cell Phone No. \_\_\_\_\_



# *“Sea to Shining Sea”*

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### **Part A. Purpose**

The purpose of the rules/regulations in the 2018 July 4 LD (2018 July 4 LD) is to provide a uniform guideline to control the operation of the 2018 July 4 LD festivities concessions, the objective of which is to ensure and promote a safe, cheerful, and memorable celebration.

### **Part B. Authority**

The 2018 July 4 LD Celebration Committee is under the supervision of the Office of the Mayor of Saipan. The Office of the Mayor of Saipan is charged with the responsibility to organize, operate, and implement festivities commemorating the liberation of the people of Saipan from the conflict that changed the path at beginning the end of the World War II in 1945. Municipal Ordinance No. 86, approved on 16 January 1968, charged the Office of the Mayor of Saipan with the responsibility to organize the 2018 July 4 LD Celebration Committee.

As used in the rules, the 2018 July 4 LD Celebration Committee shall be referred to as the “Committee.” Applicants to operate a concession or applicants who have been approved and issued a concession license to operate a concession shall be referred to collectively as “Concessionaire.”

### **Part C. Rules**

1. A person, company, or organization, operating as a commercial or not-for-profit company or organization, must apply for a license to operate a concession during the 2018 July 4 LD festivities. An applicant must accurately complete an application form to be made available by the Committee, and submit the completed application to the Office of the Mayor of Saipan on or before the stated deadline to submit an application. The deadline to submit an application to operate a concession during the 2018 July 4 LD festivities is Wednesday, 16 May 2018 at 4:00 P.M.
2. Applicant must pay the applicable fee in full at the time of submitting a completely filled in application to the Office of the Mayor of Saipan. Payment may be by cash or check. If applicant is paying by check, the check must be made out to the “Liberation Day Committee” with a notation “2018 Liberation Day”. Cash payment and check payments must be delivered to the Office of the Mayor of Saipan prior to the said date in the above. Full payment and completed application will secure the applicant a slot in the lottery for vendor applications. \*\*It does not guaranty a vendor booth assignment. All decision will be made by the Committee following general rule of lottery drawing.

2018 July 4 LD Celebration Schedule of Concession and Fee are as follows:

<b>No.</b>	<b>Type of Concession</b>	<b>Concession Fee</b>
1.	Food and Non-Alcoholic Beverages (Until 25 April 2018)	\$500. <sup>00</sup>
2.	Food and Non-Alcoholic Beverages (26 April to 16 May 2018)	\$650. <sup>00</sup>
2.	Carnival Games	\$200. <sup>00</sup>
3.	Souvenirs/Retail	\$200. <sup>00</sup>
4.	Arts and Crafts	\$200. <sup>00</sup>
5.	Alcoholic Beverages	\$1,200. <sup>00</sup>
6.	Game of Chance	\$3,000. <sup>00</sup>

The schedule of concession and fees shall be for the entire period of the 2018 July 4 LD festivities from Friday, 29 June 2018 to Saturday, 7 July 2018.

The Office of the Mayor of Saipan must issue a payment receipt to an applicant upon delivering a completely and accurately filled in application and payment to the Office of the Mayor of Saipan. Applicant is responsible for maintaining record of any and all transactions between applicant and the Office of the Mayor of Saipan .

An applicant will be charged \$25.00 for a returned check. Should applicant fail to clear a returned check and pay the returned check fee, and pay the application fee in full by cash, the Committee reserves the right to reject the application or revoke a concession license, if the Committee has approved the application before the check bounced. An applicant whose check was returned for insufficient funds shall pay the application fee by cash.

3. An applicant will be issued a concession license upon submitting all the required forms, documents, permits, licenses, certificates, fees, etc. as listed in the Concession Application and in the Rules for Concession, provided the Committee has found the applicant's application complete and accurate with bank-cleared payment (if payment of the application fee was by check). Applicants are responsible to maintain clear, readily accessible documentation at all times during the 2018 July 4 LD festivities and may be requested to display proof of licensing at any point by the Committee or other governmental agencies.

An applicant issued a concession license by the Committee shall have permission to operate a concession within 2018 July 4 LD. The 2018 July 4 LD festivities is scheduled to operate will commence Friday, 29 June 2018 and will conclude on Saturday, 7 July 2018. Festivity hours are as follows: Sunday through Thursday, 6:00 P.M. to 10:00 P.M., and Friday through Saturday, from 6:00 P.M. to 11:00 P.M.

On Wednesday, 4 July 2018 festivities will open from 12:00 P.M. and closed at 10:00 P.M. All concessionaires are required to maintain their designated booth with a clean appearance for the said dates and time frames. All concessionaires are required to maintain operation of their designated booth for the said dates and time frames. At any point should a concessionaire be nonoperational, the concessionaire must immediately notify the Committee in writing of any reason and must agree to remain present at its designated booth until the said end time stated in section 3 (operation hours) until directed by the Committee.

4. Thirty days prior to the 2018 4 July LD festivities, the Committee will determine the approved vendor applications and each applicant will be notified by a Committee member directly. The Designation of concession booths will then be held by a second lottery of available lots provided by the Committee, and, thereafter each vendor will be informed his/her assigned booth number. Designation after the drawing shall be final and no changes as to designation shall be made by the Committee, unless, in the Committee's sole discretion, should the number of undrawn lots remain available, allow a one-time redrawing of lots. A Concessionaire shall occupy assigned booth upon the approval of date to be advised by the Committee.

Concession booth sizes are as follows:

<b>No.</b>	<b>Type of Concession</b>	<b>Concession Booth Size</b>
1.	Food and Non-Alcoholic Beverages	TBD
2.	Carnival Games	TBD
3.	Souvenirs/Retail Items	TBD
4.	Arts and Crafts	TBD
5.	Alcoholic Beverages (beer garden)	TBD
6.	Game of Chance	TBD
7.	Bingo	TBD

\*\*Concessionaires of food must install front splash shield on its food display counter. Noncompliance with this requirement may result in the Committee temporarily suspending operation of the Concessionaire until after Concessionaire has complied. Installation of a front splash shield is not an option but a requirement.

5. Upon the acceptance of payment, application, and assignment of booth, the Concessionaire must adhere to the Committee Concession Checklist inclusive but not limited to workshops for licensing, inspection visits to sites, etc.
6. A Concessionaire must have a valid business license and, if applicable, a valid permit or license to sell alcoholic beverages within the festivities grounds during the festivities. A Concessionaire must have at all times during the operation of 2018 July 4 LD festivities the permit and license and conspicuously display the permit or license in the Concessionaire's concession booth where its customers, other members of the public, and agents of the CNMI government can easily view the permit or license (i.e.

binder with said licensing and permitting). A Concessionaire licensed by the Committee to operate and sell alcoholic beverages during the 2018 July 4 LD festivities shall at all time comply with the requirements, oral or written directive, permit, license, oral or written instruction, etc. issued, delivered, posted, etc. by the CNMI government Department of Commerce Division of Alcoholic Beverage and Tobacco Control. The Department of Commerce Division of Alcoholic Beverage and Tobacco Control shall at times supersede the Committee in regards to the operation and sale of alcoholic beverages. No alcoholic beverage shall be raffled as prize.

7. A Concessionaire must obtain a valid fire code permit from the Department of Fire and Emergency Management Services, hold a working fire extinguisher at all times of operations that has been inspected and approved the Department of Fire and/or a licensed vendor.
8. A Concessionaire must obtain a valid health certificate and sanitary permit issued by an appropriate agency certifying the Concessionaire and its food handlers to have met the requirements of food handling. A Concessionaire must conspicuously display the certificate and permit in the Concessionaire's concession booth where its customers, members of the public, and agents of the government can easily view the permit and certificate.
9. A Concessionaire must be insured by an insurance provider that is licensed to conduct business in the CNMI. A Concessionaire must have insurance coverage against third party claims for injury or loss to persons or damage or loss to property related or in connection with Concessionaire's concession operations or activities to be conducted by the Concessionaire in the area within its designated concession booth at all times during the 2018 July 4 LD festivities. A Concessionaire must include the 2018 July 4 LD Celebration Committee, the Office of the Mayor of Saipan, the not-for-profit Liberation Day Committee, the CNMI government, and the Department of Public Lands as named insured.
10. A Concessionaire shall operate only the specific concession and within its designated concession booth or space so licensed by the Committee. Violation of this rule shall cause the Committee to immediately shut down Concessionaire's operation and assess a penalty of \$500.00, for each violation. A Concessionaire shall not be permitted to reopen for operation as long as the violation remains uncured and payment of the penalty remains outstanding. Violation of this rule shall be grounds for losing future concession privileges.
11. A Concessionaire, its employees, guests, agents, representatives shall not be permitted to consume alcoholic beverages within Concessionaire's designated concession area before, during, and after festivities hours. It shall be the duty of the Concessionaire to comply with this provision at all times. The Committee shall strictly enforce this provision and noncompliance by Concessionaire shall not be tolerated by the Committee. Failure by Concessionaire to comply with this provision shall be cause for

the Committee to shut down Concessionaire's operation in accordance paragraph 10 above.

12. If requested by the Committee, a Concessionaire shall submit a detailed financial report to the Committee no later than a week after the final day of concessions. A Concessionaire shall show its weekly expenses and revenue for the operation of its concession. For purposes of this paragraph 10, the term weekly shall mean from Monday to Sunday of each and every week during the period of the 2018 July 4 LD festivities. A Concessionaire shall submit by delivering its report to the Office of the Mayor of Saipan in person. The Committee is required by the Department of Public Lands to report to that agency the amount of revenue raised during the festivities, and the Committee agreed to the requirement as part of the condition to enter, use, and occupy the Garapan Fishing Base for the operation of the 2018 July 4 LD festivities.
13. A Concessionaire shall, at all times before, during, and after the 2018 July 4 LD festivities, comply with the rules set forth in this Rules for Concession and oral instructions issued by the Committee. Failure to comply with the rules set forth in this Rules for Concessions or oral instructions issued by the Committee shall be grounds for the Committee to temporarily shut down Concessionaire's operation or activities until such time Concessionaire has cured any violation or deficiency. Continued non-compliance with this Rules for Concession or failure by Concessionaire to cure any violation after receiving written or oral warning from the Committee shall result in the final revocation of Concessionaire's concession license. Upon revocation of Concessionaire's concession license, the Concessionaire shall cease operation or activity on the date of revocation and peacefully vacate the concession booth by removing all personal property and persons no later than three days from the effective date of revocation.
14. A Concessionaire shall be responsible for paying the Committee actual cost and expense to repair or replace property belonging to the Committee that Concessionaire intentionally damaged before, during, or after the 2018 July 4 LD festivities. The Committee shall be the sole decision maker as to the selection of a company to perform any repair or delivery of a replacement for the property damaged by Concessionaire. A Concessionaire shall take reasonable precautions to protect property belonging to the Committee from loss or damage. Property belonging to the Committee include all materials, supplies, objects, vehicles, tents, electrical wires, etc. that do not belong to the Concessionaire that Concessionaire is licensed to use for purposes of operating a concession in the 2018 July 4 LD festivities. **\*\*you break, you pay\*\***
15. A Concessionaire shall comply with requirements for electric services or connection as established by the Committee. For safety and prevention from loss or damage to persons and property caused by electrical failure, short circuit, or grounding, Concessionaire must at all times comply with the instruction and direction, oral or written, of the Committee. Failure of Concessionaire to comply with the Committee's oral or written instruction or direction shall be grounds for the Committee temporarily suspending and shutting down the operation and activity of the Concessionaire.

16. A Concessionaire shall elevate the floor of its designated concession booth no less than five inches above existing grade. A Concessionaire must cover the floor area from corner to corner of its concession booth with plywood or any other material that is commonly used for flooring. This is a requirement of the Committee that cannot be exempted. A Concessionaire shall solely be responsible for the cost and expense related to the purchase of the materials for flooring and labor for the installation of the flooring. The Committee shall not be responsible for reimbursing the Concessionaire for payment to purchase the materials for flooring. At the conclusion of the 2018 July 4 LD festivities on 7 July 2018, the Concessionaire shall immediately remove and haul away all flooring materials it purchased and installed in its designated concession booth. The Committee shall not be responsible and the Concessionaire shall not hold the Committee responsible for damage, destruction, loss to the flooring materials for any reason or for cost and expense for repair or replacement of the materials.
17. Food and Beverage Concessions assigned to a 13' x 13' booth may be permitted to extend an up to 20 feet behind the booth, after the Committee has approved the extension. Any extension must be constructed in compliance with the standard set by the Committee.
18. A Concessionaire shall solely be responsible for the replacement of burnt out light bulbs in its designated concession booth. A Concessionaire shall purchase replacement bulbs at its own expense and shall not demand or claim reimbursement from the Committee the cost of the replacement bulbs. At the conclusion of the 2018 July 4 LD festivities on July 4, 2018, Concessionaire may remove and take light bulbs that it purchased using its own funds. A Concessionaire shall consult with the Committee prior to replacing burnt out light bulbs and shall follow the instruction of the Committee on the type of bulbs to use or install to replace burnt out bulbs.
19. A Concessionaire shall be responsible for securing its concession booth at all times before, during, and after the 2018 July 4 LD festivities, by removing property from the Concession booth at its discretion to protect such property from loss, damage, vandalism, theft, etc. The Committee shall not be responsible to the Concessionaire for loss or damage to Concessionaire's property, and Concessionaire shall not demand or claim payment from the Committee for replacement or repair of property loss or damaged.
20. A Concessionaire shall not hold the Committee responsible for damage to appliance, equipment, or property caused by electrical power surge or low voltage.
21. A Concessionaire shall at all times keep its designated concession booth and the immediate area around its concession booth clear of debris, trash, garbage, etc. A Concessionaire shall place all trash in a heavy duty plastic bag, secure it by tying its opening, and disposing of it at the designated trash containers. A Concessionaire shall not store trash in open containers or in trash bags in its designated concession booth or in the immediate area of its concession booth at any time. A Concessionaire shall not

- litter within the 2018 July 4 LD festivities grounds. Violation of this rule shall be grounds for the Committee to issue an oral warning to the offending Concessionaire. On the third violation, the Committee will immediately revoke the offending Concessionaire's concession license and order the Concessionaire to cease operation and vacate the concession booth and festivities grounds. A Concessionaire must completely physically vacate the concession booth no later than three days upon revocation of its concession license by the Committee.
22. Operation of a concession for the sale of alcoholic beverages shall only be licensed in a beer garden setup. Consumption and sale of alcoholic beverage shall be controlled by the Department of Commerce Division Alcoholic Beverage and Tobacco Control.
  23. A Concessionaire shall not nail or attach objects to any tree at the 2018 July 4 LD festivities grounds. A Concessionaire shall not dig, excavate, pour concrete, or install or construct any object on the festivities grounds. Noncompliance with this provision shall subject a Concessionaire to penalties as provided by CNMI law or regulations. The Committee may shut down Concessionaire's concession operation and activity until such time the violation has been resolved.
  24. A Concessionaire may cancel or terminate its concession license at any given time after the Committee has issued a concession license to the Concessionaire. Cancellation or termination of the concession license by the Concessionaire at its own free will shall not entitle the Concessionaire a refund of the concession fee it paid.
  25. The Committee may amend, alter, change, modify any part of this Rules for Concession at any time by giving Concessionaires at least five days advance written notice of the effective date of the amendment, alteration, modification, or change. A Concessionaire may submit its written views, support, or objection to the proposed amendment, alteration, modification, or change. The Committee may take into consideration a Concessionaire's written view in support or opposition.
  26. The rules set forth above in this Rules for Concession constitute the 2018 Fourth of July Liberation Day Celebration rules and the rules shall be binding on a Concessionaire licensed to operate during the 2018 July 4 LD festivities.

Duly adopted this \_\_\_\_\_ day of April, 2018, by the 2018 July 4 LD Celebration Committee.

Approved by: /s/**Joe Ayuyu Jr.**  
JOE AYUYU JR., Chairman  
2018 Fourth of July Liberation Day Celebration Committee

Concurred by: /s/**David M. Apatang**  
DAVID M. APATANG, Mayor, Municipality of Saipan