

Napa Valley Publishing Company

Attachment 4

1615 Second Street • P.O. Box 150 • Napa, CA 94559 • 707-226-3711

CITY OF CALISTOGA

APR 19 2011

CITY MANAGER

April 19, 2011

City of Calistoga
1232 Washington Street
Calistoga, CA 94515

RE: City of Calistoga Request for Proposal for Legal Advertisement

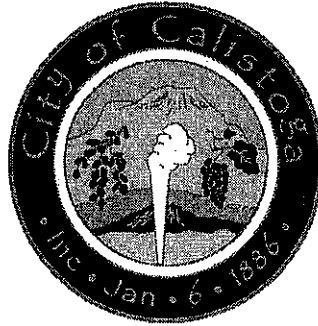
Dear Ms. Sneddon, City Clerk

Enclosed is our Proposal for Legal Advertisements for the City of Calistoga.
Please contact me for any information if needed. I can be reached by phone
707-256-2274 or e-mail nalessio@napanews.com

Thank you,

Nona Alessio

Nona Alessio, Classified Advertising Manager



CITY OF CALISTOGA

REQUEST FOR PROPOSALS FOR

CITY-WIDE ADVERTISING

PRINTING/PUBLISHING SPECIFICATIONS

July 1, 2011 - June 30, 2012

INTRODUCTION

The City of Calistoga (City) is soliciting proposals for the provision of official advertising services pursuant to Section 6000, et seq. for the City for a 12 month period, beginning July 1, 2011. Upon selection of the most qualified, cost effective and responsive adjudicated newspaper (Contractor), the City will execute a contract for services.

This Request for Proposal (RFP) describes the City's basic needs. You are encouraged to identify other services beyond these minimum required services which you can provide to address the City's needs and describe any progressive approaches that would reduce City costs and/or increase advertising efficiency and effectiveness.

DESIGNATION

During the period of this contract, the newspaper shall be known and designated as the "official newspaper of the City of Calistoga" as required by Government Code Section 6000, et seq.

SCOPE

The scope of services desired includes at a minimum the advertising by the City of Calistoga in accordance with State and local regulations: e.g. Sections 6000 through 6040 of the Government Code.

TYPE OF LEGAL ADVERTISING

Official legal notices for the City of Calistoga will consist of printing and publishing the following:

- 1) Ordinances
- 2) Public Hearing/Meeting notices
- 3) Formal bid notices
- 4) Election notices

COPIES OF ADVERTISEMENT

During the term of the contract two Affidavits of Publication to the City Clerk within one week of the last publication of the item.

PUBLISHING

PUBLISHING SCHEDULE

Advertisements and notices shall be placed in the body of the newspaper and shall be published for the number of days directed by the officer requiring such publication. Publishing of advertisements and other notices on a supplemental sheet to the newspaper will not be acceptable.

In the event that the newspaper that is awarded the advertising contract for the City of Calistoga is unable to publish on the date required by the City, the City may choose an alternative newspaper in order to meet publication deadline/requirements.

ACCURACY OF PUBLISHING

The Contractor shall submit a draft to be proofread by the respective City department. If errors are found after the sample proof has been checked, a revised corrected proof shall be submitted immediately to said department for approval prior to the publication of the printed advertisements or notices. All printing done hereunder that does not strictly comply with the copy or copies furnished shall be corrected and republished by and at the expense of the Contractor.

NON-COMPLIANCE

Contractor shall first proofread all printing done under this contract before submitting the same to the City for checking, and if upon checking by City errors are found, City may request a revised proof for approval before publication of the same by Contractor. In case it is necessary to republish due to the fault of the Contractor, no charge, or charges shall be made for the previous printing or publication, and should the same not be republished, no charge whatsoever shall be made to City thereof.

Contractor shall provide miscellaneous advertising requirements of the City. Contractor shall submit appropriate price list with the bid.

LEGAL NOTICE TYPE REQUIREMENTS

Unless otherwise directed by the City, all legal advertising shall be set at no larger than eight (8) point type.

CITY-WIDE ADVERTISING
GENERAL SPECIFICATIONS

PROPOSAL

In the determination of awarding the contract, the City Council shall be the sole judge as to which bid best meets the needs and requirements of the City and its decision shall be accepted as final.

CONTRACT

A Professional Services Agreement with appropriate attachments is to be completed, signed, and dated by the Contractor. A current Calistoga Business License is to be in effect during the term of the contract. All insurance certificates as indicated in the attached professional services agreement must be submitted with the proposal.

This entire Request for Proposal, or any item(s) thereof, shall become part of the contract upon its acceptance by the City Council of the City of Calistoga. The complete contract shall consist of the Notice Inviting Request for Proposals, the entire Proposal (including Specifications), or any item(s) thereof, addenda. Additional provisions will be added to the final contract consistent with this notice. Contractor will be provided with a copy of the executed contract.

TERM OF CONTRACT

The term of any contract awarded pursuant hereto shall be from July 1, 2011 through June 30, 2012.

ELECTRONIC DELIVERY

Contractor shall have the capability to receive typeset matter and proofs via email. Contractor shall provide City an email address to be used for transmission of typeset matter.

TERMINATION/PENALTIES

Whenever, in the opinion of the City, the said service is unsatisfactory, the Contractor shall be advised of the reasons. If the Contractor fails to correct the unsatisfactory conditions within five days, the City may declare this contract terminated and contract with another supplier. It shall be understood and agreed that the contract may be terminated by either party upon thirty days written notice.

Whenever Contractor has confirmed receipt of an ad placement either electronically or by facsimile and/or City has returned to Contractor an approved ad proof and Contractor then fails to publish the advertisement on one or more of the dates already confirmed and approved, the next ad placement of similar nature shall be published at no cost to the City for the same number of run dates that were missed by the Contractor.

Notwithstanding any provision to the contrary, City shall have no obligation to give more than two notices of unsatisfactory performance in any calendar year. In the event two such notices of unsatisfactory performance are given in any calendar year, and in the event that Contractor shall again fail to satisfactorily perform services pursuant to this Contract, City may thereupon terminate this contract immediately.

RATES

The rates proposed to be charged the City shall be designated for each column inch for a first publication, each column inch for a second publication, and each column inch for all additional publications. Each bid shall indicate that the rates proposed to be charged the City do not exceed the customary rates charged by the bidder's newspaper for the publication of legal notices of a private character.

PAYMENT AND INVOICING

Invoices shall be mailed or delivered to City of Calistoga, Attention: City Clerk, 1232 Washington St, Calistoga, CA 94515. Invoices shall include the name of the City Department and/or City Employee who ordered the advertising; or a coding system sufficient to enable the City Clerk to identify the department responsible for placing the order. City shall pay to the Contractor in due course of payments following the end of calendar month and the receipt from the Contractor of invoices for material delivered by the Contractor and accepted by the City during such calendar month.

NOTE: Payment may be seriously delayed if invoices do not clearly reflect contract number and department number as provided by City at time of submission of advertisement.

EXPENDITURES

Total annual expenditures under this contract are estimated (without guarantee) to be: \$20,000.

PAYMENT TERMS

Describe timely payment discount offered, if any.

CITY-WIDE ADVERTISING

SECTION A: BID PROPOSAL FORM

BIDS MUST BE RECEIVED BY: Friday, April 29, 2011 at 10:00 a.m. in the Office of the City Clerk.

QUESTIONS regarding this bid should be referred to Susan Sneddon, City Clerk (707) 942-2807 or email ssneddon@ci.calistoga.ca.us.

PRINTING OF OFFICIAL AND LOCAL CLASSIFIED ADVERTISING to be furnished to the City of Calistoga during the period commencing July 1, 2011 through June 30, 2012.

SECTION A: GENERAL

1. This newspaper is published 1 day(s) per week, on the following days: Thursday
2. Indicate column format:
Legal 6
Display 6
3. This newspaper observes the following holidays:
New Years, Christmas, Memorial Day, 4th of July, Independence Day
The deadline to submit publications for holidays is:
5 to 7 business days prior holiday publication
4. Can your newspaper reduce blueprint drawings/maps for publication? yes
If so, is there an additional cost (indicate cost) 720
5. If proofreading is required by the City, what is the deadline to submit information?
Legals 5 business days prior to publication
Display 5 business days prior to publication
6. **DECLARATION OF NON-COLLUSION**
The undersigned certifies (or declares) under penalty of perjury that this bid is genuine and not sham or collusive, or made in the interest or on behalf of any person, firm, or corporation not herein named; that the contractor has not directly or indirectly induced or solicited any other contractor to put up a sham bid, or any other person, firm, or corporation to refrain from bidding, and that the contractor has not in any manner sought by collusion to secure to himself any advantage over other contractors.
7. **DECLARATION OF ADJUDICATION**
The undersigned certifies (or declares) under penalty of perjury that the named newspaper is adjudicated as a newspaper of general circulation by the State of California (as defined by Government Code Section 6000, et seq.).
8. **ERRORS AND OMISSIONS**
The undersigned understands and agrees that the City of Calistoga will not be responsible for any error or omission on the part of the undersigned in making this proposal.

9. DECLARATION OF NON-DISCRIMINATION

In the performance of any contract awarded pursuant to these specifications, the undersigned understands and agrees that it shall not discriminate against any employee or applicant for employment because of age, sex, marital status, physical handicap, race, color, religion, ancestry, or national origin. Contractor will take affirmative action to ensure the applicants are employed, and that employees are treated during employment without regard to their age, sex, marital status, physical handicap, race, color, religion, ancestry or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor shall post in conspicuous place, available to employees and applicants for employment, notices setting forth the provisions of this Fair Employment Practices paragraph.

EXECUTED AT: 2:30 pm ON THE 21 DAY OF April, 2011

BY *Tom Speth* *Publisher*
(Signature) (Title)

on behalf of *Napa Valley Publishing - Weekly Calistoga*
(Service Provider)

SECTION B: LEGAL ADVERTISING

1. Legal advertising to be accomplished as no larger than eight (8) point on 9.5 leading.
2. See the enclosed "Exhibit 1": Please typeset and indicate cost to publish as a legal ad.
3. Dollar rate per column inch: \$ 7.48
4. \$ 71.05 (cost estimate)

SECTION C: DISPLAY ADVERTISING

- | ITEM | DESCRIPTION |
|------|---|
| 1. | Display advertising to be accomplished as follows:
Format: ROP (Run of Publication) |
| 2. | Does the rate change, depending upon number
of publications or size of ad?

Yes <u>X</u> No _____ If so, please indicate |
-

3. See the enclosed "Exhibit 2" to typeset and set up as 2 column by 6 inch ad.
4. Dollar rate per column inch: \$ 6.35
5. \$ 76.20 (cost estimate)

SECTION D: CIRCULATION

CONTRACTOR'S QUALIFICATION - LEGAL ADVERTISING

Attach a copy of U.S. Postal Service "Statement of Ownership Management and Circulation" Form PS 3526 filed for 2010, and the circulation amount for February 2011. Please also include the number of paid subscription in the 94515 zip code area. If available, please verify the newsrack sales for 2010. Please include the most recent Weekly Postal Report.

PROFESSIONAL SERVICES AGREEMENT

The selected consultant will be required to enter into a City standard Professional Services Agreement (attached Exhibit 3). Two signed copies of the Professional Services Agreement shall be submitted with the RFP. All other required insurance certifications and documentation shall be submitted to the City within ten (10) days of award of the contract, prior to execution of the agreement by the City.

Particular attention should be given to the Indemnity and Insurance sections in the Professional Services Agreement. These sections are not negotiable and will be included unaltered in the final agreement.

CONTRACTOR MUST COMPLETE AND SIGN BELOW:

Firm Name Napa Valley Publishing - The Weekly Calistogan Phone (707) 256-2234
Address 1615 2nd St Napa CA 94559
(Street) (City) (State) (Zip)
S/ Tom Speth Title Publisher

(Signature of Corporate Officer or person authorized to sign bids and contracts on behalf of the Contractor)

Vendors submitting a sealed proposal for the provision of official City advertising must complete and submit the following form(s) no later than 10:00 a.m. on Friday, April 29, 2011, to the Office of the City Clerk, City of Calistoga, 1232 Washington Street, Calistoga, CA 94515. The sealed proposal must be clearly labeled "PROPOSAL FOR OFFICIAL ADVERTISING SERVICES", Friday, April 29, 2011, 10:00 AM" in the bottom left hand corner.

ALL SIGNATURES ON BIDS SHALL BE ACCOMPANIED BY AN APPROPRIATE (i.e.: CORPORATE, PARTNERSHIP OR INDIVIDUAL) NOTARIAL ACKNOWLEDGMENT. NO BID WILL BE CONSIDERED FOR AN AWARD OF CONTRACT UNLESS SUCH NOTARIAL ACKNOWLEDGMENT IS RECEIVED.



**UNITED STATES
POSTAL SERVICE®**

**Statement of Ownership, Management, and Circulation
(All Periodicals Publications Except Requester Publications)**

1. Publication Title: **THE WEEKLY CALISTOGAN** 2. Publication Number: **67-2180** 3. Filing Date: **9/30/2010**

4. Issue Frequency: **WEEKLY** 5. Number of Issues Published Annually: **52** 6. Annual Subscription Price: **\$25.00**

7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4®):
**1458 LINCOLN AVENUE
CALISTOGA NAPA COUNTY CA 94515**

Contact Person: **Stephen Schurkey**
Telephone (include area code): **707-256-2249**

8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer):
**1615 SECOND STREET
NAPA, CA 94559**

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank)

Publisher (Name and complete mailing address):
**BRENDA SPETH
1615 SECOND STREET NAPA, CA 94559**

Editor (Name and complete mailing address):
**DOUG ERNST
1458 LINCOLN AVENUE CALISTOGA, CA 94515**

Managing Editor (Name and complete mailing address):
**JOHN WATERS, JR.
1458 LINCOLN AVENUE CALISTOGA, CA 94515**

10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)

Full Name	Complete Mailing Address
LEE ENTERPRISES, INC. (SEE ATTACHED)	201 N. HARRISON STREET DAVENPORT, IOWA 52801

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box None

Full Name	Complete Mailing Address
(SEE ATTACHED)	

12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one)
The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes:
 Has Not Changed During Preceding 12 Months
 Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

EXHIBIT 1

NOTICE OF PUBLIC HEARING BY THE CALISTOGA CITY COUNCIL

NOTICE IS HEREBY GIVEN, by the City Council of the City of Calistoga that a Public Hearing will be conducted on Tuesday, March 15, 2011, at 7:00 p.m. in the Calistoga Community Center, 1307 Washington Street, Calistoga, County of Napa, State of California, at which time and place testimony will be considered on the following item:

Consideration of a General Plan Amendment to adopt an updated Housing Element. The proposed update presents a comprehensive set of housing policies and actions for meeting the City's housing needs during 2007-2014 housing period and meets the requirements of state housing element law.

In accordance with the California Environmental Quality Act (CEQA), an Initial Study/CEQA Checklist has been prepared for the above referenced project. The Planning and Building Department has determined that the proposed project will not have a significant adverse effect on the environment. A Notice of Intent to Adopt Negative Declaration was prepared and circulated for a 30-day comment period starting January 16, 2011. The City Council will consider adopting the Negative Declaration for the project.

NOTICE: If you challenge a city's zoning, planning, or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Judicial review of any City administrative decision may be heard only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

Beginning Saturday, March 12, 2011, no later than 12:00 noon the City Council report for this item will be available online at <http://www.ci.calistoga.ca.us>. For additional information, please call the City Clerk's office at 707-942-2805.

BY ORDER OF THE CALISTOGA CITY COUNCIL

SUSAN SNEDDON

City Clerk
City of Calistoga

PUBLIC NOTICE
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BY ORDER OF THE CALISTOGA
CITY COUNCIL
SUSAN SNEDDON
City Clerk
City of Calistoga
145738

EXHIBIT 2



NOTICE OF SPECIAL MEETING

The public is invited to attend a Special Joint Meeting of the Community Resources Commission and the Planning Commission, on March 16, 2011 at 5:30 pm in the Community Center at 1307 Washington Street. The Community Resources Commission and Planning Commission will consider the *Preliminary Draft Napa Countywide Climate Action Plan*, including the consideration of local greenhouse gas emission (GHG) reduction targets and local GHG reduction actions.

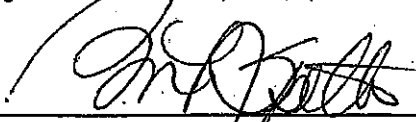
Staff will provide a status update of the Green Initiatives Program and the public will have the opportunity to ask questions and comment on draft materials. For more information regarding these matters please visit the City's website at www.ci.calistoga.ca.us or call (707) 942-2827.

13. Publication Title THE WEEKLY CALISTOGAN		14. Issue Date for Circulation Data Below 9/23/2010	
15. Extent and Nature of Circulation WEEKLY		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Net press run)		1429	1449
b. Paid Circulation (By Mail and Outside the Mail)	(1) Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	48	47
	(2) Mailed In-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	280	280
	(3) Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS®	675	688
	(4) Paid Distribution by Other Classes of Mail Through the USPS (e.g. First-Class Mail®)	0	0
c. Total Paid Distribution (Sum of 15b (1), (2), (3), and (4))		1003	1015
d. Free or Nominal Rate Distribution (By Mail and Outside the Mail)	(1) Free or Nominal Rate Outside-County Copies included on PS Form 3541	0	0
	(2) Free or Nominal Rate In-County Copies included on PS Form 3541	0	0
	(3) Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g. First-Class Mail)	0	0
	(4) Free or Nominal Rate Distribution Outside the Mail (Carriers or other means)	210	212
e. Total Free or Nominal Rate Distribution (Sum of 15d (1), (2), (3) and (4))		210	212
f. Total Distribution (Sum of 15c and 15e)		1213	1227
g. Copies not Distributed (See Instructions to Publishers #4 (page #3))		216	222
h. Total (Sum of 15f and g)		1429	1449
i. Percent Paid (15c divided by 15f times 100)		82.6%	82.7%

16. Publication of Statement of Ownership

If the publication is a general publication, publication of this statement is required. Will be printed in the **September 30, 2010** issue of this publication. Publication not required.

17. Signature and Title of Editor, Publisher, Business Manager, or Owner



Date

9/30/2010

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

Alfsher's Statement

Paragraph 1A: Average Qualified Print

Individually-Paid Print

Home Delivery and Mail

HD and Mail >= 25% Basic Rate
 HD and Mail < 25% Basic Rate
 Total Home Delivery and Mail

Single Copy

Total Individually-Paid Print

Paid Business/Traveler Print

Group Subscriptions (Designated Employees)
 Hotel - Guest Refund
 Hotel - Purchased for Room/Lobby

Total Paid Business/Traveler Print

Verified Print

Home Delivery

Home Delivery - Requested
 Home Delivery - Targeted
 Total Home Delivery

Single Copy

Educational Copies
 University Copies
 Employee/Contractor
 Retail/Business/Libraries for Patrons
 Total Single Copy

Total Verified Print

Total Average Qualified Print

	Sun	Daily	Mon	Tue	Wed	Thu	Fri	Sat
HD and Mail >= 25% Basic Rate	0	313	0	0	0	313	0	0
HD and Mail < 25% Basic Rate	0	0	0	0	0	0	0	0
Total Home Delivery and Mail	0	313	0	0	0	313	0	0
Single Copy	0	191	0	0	0	191	0	0
Total Individually-Paid Print	0	504	0	0	0	504	0	0
Group Subscriptions (Designated Employees)	0	0	0	0	0	0	0	0
Hotel - Guest Refund	0	0	0	0	0	0	0	0
Hotel - Purchased for Room/Lobby	0	100	0	0	0	100	0	0
Total Paid Business/Traveler Print	0	100	0	0	0	100	0	0
Verified Print	0	0	0	0	0	0	0	0
Home Delivery - Requested	0	0	0	0	0	0	0	0
Home Delivery - Targeted	0	0	0	0	0	0	0	0
Total Home Delivery	0	0	0	0	0	0	0	0
Single Copy	0	0	0	0	0	0	0	0
Educational Copies	0	0	0	0	0	0	0	0
University Copies	0	0	0	0	0	0	0	0
Employee/Contractor	0	58	0	0	0	58	0	0
Retail/Business/Libraries for Patrons	0	0	0	0	0	0	0	0
Total Single Copy	0	58	0	0	0	58	0	0
Total Verified Print	0	58	0	0	0	58	0	0
Total Average Qualified Print	0	662	0	0	0	662	0	0