



New York City
Parks & Recreation
The Arsenal Central Park

SOLICITATION #: B2230(A)-SB

REQUEST FOR PROPOSALS
for the
**OPERATION OF AN EAT-IN SNACKBAR AT THE
TRIANGLE FORMED BY BEDFORD AVE.,
WILLIAMSBURG ST., AND KEAP ST., BROOKLYN**

ISSUE DATE
March 19, 2001

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COMMISSIONER OF PARKS & RECREATION
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BOROUGH COMMISSIONER, BROOKLYN

REQUEST FOR PROPOSALS

FOR THE RENOVATION AND OPERATION OF AN EAT-IN SNACK BAR AT THE TRIANGLE
FORMED BY BEDFORD AVENUE, WILLIAMSBURG STREET,
AND KEAP STREET, BROOKLYN

City of New York Parks & Recreation (Parks) requests proposals for the renovation and operation of an eat-in snack bar at the triangle formed by Bedford Avenue, Williamsburg Street and Keap Street. Parks is seeking proposers with experience in the restaurant/snackbar and/or food service industry. This concession will be operated pursuant to a license agreement issued by Parks; no leasehold or other proprietary right is offered. The term of this concession is five (5) years. No longer term will be considered.

Project Manager

The Parks & Recreation Project Manager for this concession is Paul Tierno. Please call him at (212)360-1397 if you have any questions regarding this Request for Proposals (RFP) or this concession. You may also fax your questions to him at (212)360-3434 or email them to him at cutlass@parks.nyc.gov. If you have a hearing impairment, you can reach the City's Telecommunications Device for the Deaf (TDD) at (800)281-5722.

Request for Proposals Timetable

The following schedule has been established for this Request for Proposals. This schedule is subject to change as circumstances warrant.

RFP Release Date:	Monday, March 19, 2001
Site Tour:	Tuesday, April 3, 2001 at 11:00 a.m.
Proposal Due:	Wednesday, April 25, 2001 at 3:00 p.m.



Note: If you have a physical disability which would prevent you from attending the proposer meeting & site tour and/or submitting your proposal to the Arsenal, please contact the project manager at least 48 hours prior to the meeting date and/or submission deadline so that special arrangements can be made to accommodate you.

PROJECT BACKGROUND AND SITE DESCRIPTION

Parks requests proposals for the renovation and operation of an eat-in snackbar facility located at the triangle formed by Bedford Avenue, Williamsburg Street and Keap Street in the Williamsburg section of Brooklyn. Built in 1985, the existing restaurant presently serves kosher food to the local Hasidic community. The facility is accessible from all points including the Brooklyn Queens Expressway and the Williamsburg Bridge.

The restaurant encompasses most of the triangle on which it lies. It consists of a kitchen, counter space, seating area and storage rooms. The facility is a concrete, brick and wood structure. It is currently in serious disrepair. Parks will entertain proposals that include plans for reconstructing, revamping and redesigning the existing building. The necessary improvements are included below in the "Capital Investment" section of this Request for Proposals. Parks will entertain proposals that include a new or expanded menu. There is no parking lot at the site. Patrons must park on surrounding streets.

Proposers should be experienced in the restaurant or snack bar business. Parks expects innovative, imaginative proposals that will improve the existing facility and generate revenue for the City.

There will be an on-site inspection meeting on Tuesday, April 3, 2001 at 11:00 a.m. All those who intend to submit a proposal are strongly encouraged to attend.

CAPITAL INVESTMENT

The successful proposer will be required to perform the following repairs as a requirement of their license agreement:

1. Clean out all exhaust ducts and replace filters.
2. Repair and/or replace gutters and roof drains.
3. Replace all building siding.
4. Remove the lattice fencing and fence posts from roof.
5. Repair or replace all windows as needed.
6. Repair and/or replace all doors and doorframes.
7. Replace (affix) rail/gate at staircase and ramp at the entryway.
8. Remove or properly brace ornamental column, wood posts and canopy with foundations.
9. Repair or replace all kitchen equipment.
10. Replace and properly affix all signs. All signs are subject to Parks' approval.

The successful proposer will be required to obtain an engineer's report on all necessary repairs and to execute them at his or her sole cost and expense. *(Note: All designs and work to be performed on the*

structure will require prior approval from Parks & Recreation, and all other agencies having jurisdiction.)

DESIGN REVIEW FEE

For Parks Design Division review of the licensee's design documents, Parks will charge the licensee a fee which will be a percentage of the total cost of all capital improvements. "Total Cost" of such improvements will be the total amount stipulated in the license agreement. **The fee is 1.0% of the total cost.** Upon signing the license agreement, the successful proposer will pay the design review fee, based on the capital investment to which the proposer/licensee is committed in the license agreement.

REQUIREMENTS DURING THE TERM OF THE LICENSE

Parks is offering a term of five (5) years for this concession. No longer term will be considered.

1. The concessionaire will be responsible for securing the facility and any other equipment used in operating the concession every evening.
2. The concessionaire will be required to supply all equipment and materials necessary for the operation of the concession. Upon completion of required capital investment, the renovated facilities and all fixed equipment become the property of Parks, at Parks' option. Should Parks choose not to exercise this option, it will be the responsibility of the concessionaire to remove fixed equipment and return the licensed premises to Parks in a condition as good or better than that at the commencement of the license term.
3. The concessionaire's staff will be required to wear uniforms approved by Parks.
4. The concessionaire must submit a menu and price list with their proposal. All prices and menu items are subject to Parks' approval.
5. The concessionaire will be responsible for keeping the area within 50' of the facility clean and free of litter. The concessionaire must provide garbage cans and will be responsible for the daily emptying of the cans by a private carter. In addition, the concessionaire will be obligated to maintain a regular cleaning schedule, which should also include the restroom facilities, to be described in the proposal.
6. The concessionaire must comply with all city, state and federal regulations regarding recycling.
7. The concessionaire will be responsible for any and all utility costs connected with the operation of this concession. This may include but is not limited to maintaining any necessary feeder

cables, meters, wiring, gas lines, water, sewer lines, pumps, etc. Parks makes no representation that there are adequate utilities currently in place at the site.

8. The concessionaire will be required to carry liability insurance in the amount of \$500,000 personal liability with a food and beverage rider including a \$50,000 property damage insurance. The insurance certificate must name City of New York Parks & Recreation as an additional insured. The concessionaire will also be required to carry fire insurance listing Parks as sole insured.
9. A security deposit of at least 25% of the highest year's guaranteed minimum license **fee** will be required for the duration of the term.
10. The concessionaire will be obligated to submit regular reports of gross receipts from all categories of income.
11. In addition to a Parks' permit, the concessionaire must obtain a Health Department License.
12. The concessionaire must comply with all city, state and federal laws relating to access for people with disabilities.
13. The use of polystyrene packaging or food containers will be prohibited in the operation of this concession.
14. **Trees may not be removed from the licensed premises.** Removal of any trees can only be done with the explicit written approval of Parks. Parks does not intend to approve the removal of any trees in connection with this concession.
15. The advertising or sale of cigarettes, cigars, or any tobacco products is strictly prohibited.
16. The sale of beverages in glass containers is prohibited.
17. The concessionaire will be responsible for obtaining the services of a New York State licensed design consultant, a Registered Architect or a Professional Engineer to review
18. designs and supervise construction respectively. All drawings, forms etc must be signed and sealed. Proposed plans must be filed with any governing authorities having jurisdiction.
19. The concessionaire will be required to retain a professional engineer or registered architect for design and filings of proposed capital work and to oversee the entire construction project. This

supervising architect or engineer will be responsible for ensuring that all construction conforms to the plans approved by Parks' Design Division. Proposers must submit this engineer's or architect's qualifications to Parks for approval.

20. The concessionaire must provide Parks with as-built drawings upon completion of the construction project.

A. PROPOSAL SUBMISSION INSTRUCTIONS

All proposals **must** meet the requirements listed below in section B, Proposal Submission Requirements, and should comply with all the items listed below in section C, Proposal Submission Guidelines. Proposals should be printed or typed on 8½ x 11 paper. There is no page limit for proposals, but proposers are encouraged to use discretion in the amount of information they submit. The proposal, the proposal deposit, and any additional information should be submitted in a sealed envelope with the following information written on the outside:

- Proposer's name and address
- Solicitation B223O(A)-SB
- Return Date: Wednesday, April 25, 2001 at 3:00 p.m.
- Williamsburg SnackBar

B. Proposal Submission Requirements

Proposal submissions must meet the following requirements. Failure to comply will result in the automatic disqualification of a submission from further consideration.

1. Proposals must contain a fee offer.
2. Proposers are required to submit as a proposal deposit a **certified check or money order in the amount of \$5,000** with the proposal (payable to NYC Department of Parks and Recreation). The proposal deposit is retained only in the event that successful proposer fails to enter into a contract with Parks. Proposal deposits will be returned to unsuccessful proposers after the contract is signed with the successful proposer.
3. Proposals must be submitted in sealed envelopes and received in the office of the Assistant Commissioner for Revenue, Revenue Division, City of New York, Parks & Recreation, The Arsenal, Central Park, 830 Fifth Avenue, Room 407, New York, New York 10021, **no later than 3:00 p.m. on Wednesday, April 25, 2001**. We recommend hand-delivering proposals to

Room 407 to ensure consideration of your proposal. Proposals received after that time and date listed above will be returned to the proposer unopened and will not be considered for award.

C. Proposal Submission Guidelines

1. Proposers should submit proposals with all the required information and a fee offer. The fee offer should state the highest sum each proposer is prepared to pay as a license fee, expressed as guaranteed annual minimum fee versus a percentage of gross receipts, whichever is greater. The City strongly urges that there be an escalation in the guaranteed minimum fee over the license term.
2. All proposers should submit completed copies of two (2) VENDEX forms: the Business Entity and Principal questionnaires; as well as Parks' Personal/Business questionnaires all of which can be obtained through the Revenue office. **Please submit six (6) copies of each form with your proposal.**
3. All proposals should be submitted on **one side only** of 8½ X 11 paper. No proposals should be submitted in plastic sleeves or spiral binders. Oversized drawings may be submitted but must be accompanied by sectionals and or reductions to 8½ X 11. **Please submit six (6) copies of your proposal.**
4. Proposers should clearly identify their relevant qualifications and experience in the successful management of similar facilities. Proposers should submit a resume or detailed description of professional qualifications, and include the names and addresses of all corporate officers submitting the proposals.
5. Proposers should also indicate whether they have had previous experience working for a city agency, or with city regulatory agencies, and the extent to which they can accommodate city procedures.
6. Proposers should give an estimate of the number of full-time and seasonal employees and categories of employment with a breakdown on how many are expected to be hired from the local community. Parks will look favorably upon proposals that will employ members of the local community.
7. Proposers should include a list of all items to be sold and their prices. All items and prices are subject to Parks' approval.
8. All proposers should submit a detailed operation plan, including hours of operation. Operation

plans are subject to Parks' approval.

9. All proposers should include a detailed, well thought out pro-forma income and expense projection for each year of operation. The pro forma should include explanations for all your assumptions.
10. All proposals should include a financial statement prepared in accordance with standard accounting procedures.
11. Parks expects that each proposer attach a description of improvements planned. This description should include information such as preliminary design and cost estimates and a

time-frame for the completion of the improvements. Proposers should note that capital investment and design will be a heavily weighted component in Parks' evaluation process. The cost estimates provided will become a minimum required expenditure, and the time frame proposed will be included as a requirement in the license agreement. Proposers are therefore urged to be realistic or even conservative in the investment and time frame they offer.
12. Parks is charged with improving customer satisfaction with our services. Parks will view favorably all proposals that incorporate self check mechanisms that indicate the quality level of services offered. Such mechanisms include but are not limited to a customer evaluation or survey form filled out on a regular basis. In addition, Parks would like to see proposals which indicate how the proposer would improve services offered to the public if necessary.

D. Evaluation and Selection Procedures

In evaluating proposals, a selection committee comprised of Parks' employees and constituted in accordance with the rules of the Franchise and Concessions Review Committee will use the following criteria.

- Fee offer
- Capital Improvements and designs submitted
- Operating experience in the field, including experience as a City concessionaire, if applicable
- Proposed operations
- Financial capability

The City is not required to accept the proposal with the highest fee offer. Acceptance of any proposal does not imply that every element of that proposal has been accepted.

Failure to demonstrate extensive experience in the field, or to respond substantially to the requirements of the RFP, will result in the rejection of the proposal.

E. Other general RFP Requirements and Conditions

Parks reserves the right to postpone or cancel this RFP or reject all proposals, if in its judgement it deems it to be in the best interest of the City of New York to do so.

Proposers are advised that Parks the option of selecting the proposer without conducting negotiations. Therefore, each proposer should submit his or her best proposal initially since negotiations may not take place.

All Request for Proposals submission materials become the property of the City of New York Department of Parks and Recreation. Proposal submission material will generally be made available for inspection and copying by interested parties upon written request, except when exempted from disclosure under the New York State Freedom of Information Law.

Freedom of Information Law

NYC Parks & Recreation is subject to the New York State Freedom of Information Law, which governs the process for the public disclosure of certain records maintained by Parks. (*See Public Officers Law, Sections 87 and 89.*) Individuals or firms that submit proposals to Parks may request that Parks except all or part of such a proposal from public disclosure, pursuant to Section 87 (2)(d) of the Public Officers Law, on the grounds that the proposal contains trade secrets, proprietary information, or that the information, if disclosed, would cause substantial injury to the competitive position of the individual or firm submitting the information. Such exception may extend to information contained in the request itself, if public disclosure would defeat the purpose for which the exception is sought. The request for such an exception must be in writing and state, in detail, the specific reasons for the requested exception. It must also specify the proposal or portions thereof for which the exception is requested.

If Parks grants the request for exception from disclosure, Parks shall keep such proposal or portions thereof in secure facilities.

NYC Parks & Recreation will not be liable for any costs incurred by proposers in the preparation of proposals or for any work performed in connection therein.

A proposer may submit a modified proposal to replace all or any portion of a proposal submitted up until the proposal submission deadline. The project manager will only consider the latest version of the proposal. Late proposals and late modifications will not be considered for evaluation. Proposers may withdraw their proposals from consideration at any time before the proposal deadline.

To withdraw a proposal, the proposer must provide Parks with written notification.

Technical addenda issued by NYC Parks & Recreation will be the only authorized method for communicating clarificatory information to all potential vendors. Proposers should contact the agency prior to submission of proposals to verify that any addenda issued have been received and proposers are to acknowledge the receipt of all addenda as part of their proposals.

The Office of the Comptroller of the City of New York is charged with the audit of concession agreements. Any person or entity who believes that there has been unfairness, favoritism, or

impropriety in the proposal process should inform the Comptroller's Office of Contract Administration, 1 Centre Street, Room 835, New York, NY 10007. Telephone: (212) 669-3000.

Henry J. Stern
Commissioner