

SOLICITATION #Q99 BH-K-C(3) 6/01

REQUEST FOR BIDS

**FOR THE OPERATION OF A ROWBOAT AND BICYCLE RENTAL
CONCESSION AND ONE (1) NON-MOTORIZED PUSHCART FOR THE
SALE OF FOOD
AT THE MEADOW LAKE BOATHOUSE
IN
FLUSHING MEADOWS CORONA PARK,
QUEENS**

ISSUE DATE

June 25, 2001

**Rudolph W. Giuliani
Henry J. Stern
Joanne G. Imohiosen**

**Mayor of the City of New York
Commissioner of Parks and Recreation
Assistant Commissioner for Revenue**

REQUEST FOR BIDS (RFB)

FOR THE OPERATION OF A ROWBOAT AND BICYCLE RENTAL CONCESSION AND ONE (1) NON-MOTORIZED PUSH CART FOR THE SALE OF FOOD AT THE MEADOW LAKE BOATHOUSE IN FLUSHING MEADOWS CORONA PARK, QUEENS.

City of New York Parks & Recreation requests bids for the operation of a rowboat and bicycle rental concession and one (1) non-motorized pushcart for the sale of food at the boathouse located near Meadow Lake, in Flushing Meadows Corona Park, Queens. This concession will be operated pursuant to a license issued by Parks; no leasehold or other proprietary right is offered. Parks is seeking a concessionaire for the 2001 season, with two additional one-year options at the City's discretion.

PROJECT MANAGER

The City of New York Parks and Recreation Project Manager for this concession is Anjan Mishra. All RFB questions and/or inquiries should be directed to him. He may be reached at the Arsenal in Central Park at 212-360-1397. You may also fax your questions to him at (212)360-3428 or e-mail him at Anjan.Mishra@parks.nyc.gov.



If you have a hearing impairment, please call the following toll-free number and leave a message on the Telecommunication Device for the Deaf (TDD). The TDD number is 1-800-281-5722.

REQUEST FOR BIDS TIMETABLE

The following schedule has been established for the Request for Bids for the operation of rowboat and bicycle rental concession and one (1) non-motorized pushcart for the sale of food at Flushing Meadows Corona Park, Queens. This schedule is subject to change as circumstances warrant.

RFB Release Date:	Monday, June 25, 2001
Site Tour:	Thursday, July 12, 2001 @ 1pm
Bids Due:	Wednesday, July 25, 2001 @ 3pm

PLEASE NOTE: THIS SCHEDULE IS SUBJECT TO CHANGE AS CIRCUMSTANCES WARRANT.



If you have a physical disability and cannot deliver your proposal to the Arsenal, please contact the Project Manager at least 48 hours prior to the deadline and special arrangements will be made for you.

THE CONCESSION

Flushing Meadows Corona Park, one of New York City's most prized flagship parks, is comprised of 1,255 acres of beautifully landscaped meadows, lakes, fountains, stadia, athletic fields, playgrounds, a zoo and a museum. Once a dumping ground for ashes, the area was transformed in the 1930's by then Parks Commissioner Robert Moses into a City park, and was found to be a perfect area to host the 1939 and 1964 World's Fairs. Some of the prominent structures left behind from the 1964 World's Fair include the Unisphere, Boathouse, Marina, the Hall of Science, the New York State Pavilion and Towers, and Terrace on the Park to name a few. The Park is currently undergoing comprehensive multiyear, multi-million dollar capital renovations, including the newly reconstructed Flushing Bay Promenade, the Ederle Complex, and the soon to be built indoor swimming pool and ice rink facility. **Prior to the start of each season, the concessionaire will be required to clean areas related to this concession. The concessionaire must ensure that the facility is in optimum operating condition.**

THE TERM

Parks is seeking a concessionaire for the 2001 season, with two additional one-year options at the City's discretion. No longer term will be considered.

OPERATIONS AND MAINTENANCE

The concessionaire will be required to clean the area surrounding the Concession. This area includes but is not limited to the pushcart and exterior deck area. Next to the main concession building there exists a storage facility and dock area that are being used for renting bikes and boats. The concessionaire should note that the American Small Craft Association (TASCA) has the use of the floating dock and a small fenced in enclosure next to the bike rental. This will continue to operate during the term of the boathouse license.

There is ample parking adjacent to the facility. The parking lot will remain public. Additionally, there is an electrical system serving Meadow Lake East; the boathouse should be able to draw 400 amps from this system. All utilities will be metered and all related costs will be the sole responsibility of the concessionaire. Any changes in electrical service must be negotiated with Parks' Electrical Engineering Division and Con Edison and carried out at the expense of the concessionaire.

REQUIREMENTS DURING THE TERM OF THE LICENSE

1. If you are the successful bidder, you will be responsible for obtaining any and all necessary approvals, permits and licenses for the lawful operation of this concession. In addition to a NYC Parks permit, the concessionaire must obtain the necessary license/s from the New York City Department of Health. If you are a new vendor with the City, please be aware that this process takes between six and eight weeks. You will not be permitted to apply for a Health Department license until you have obtained a Parks permit for this concession. If you operate without the necessary permits, you may be subject to fines and/or confiscation of your merchandise and vending unit. Bidders may contact the Department of Health for further information.
2. The successful bidder will be required to present picture identification (such as a driver's license or a passport) and proof of address (such as a utility bill) in order to sign your permit. In addition, you will be required to provide us with at least two telephone numbers (see bid form, at end of document) at which we will be able to reach you. If there are any changes in your address or phone number/s, you must inform the Parks Revenue office immediately.
3. The bike and boat rental concession permit will be awarded to the successful bidder. At that time the concessionaire will have the use of the adjacent storage facility for renting boats.
4. In addition to one (1) non-motorized pushcart, the concessionaire may be permitted to have an additional unit, no larger than three (3) cubic feet, for the sale of ice cream. The color, prices, items, and design of the non-motorized pushcart, and the additional unit, if desired, must be approved by Parks & Recreation.
5. The concessionaire will be obligated to supply all equipment necessary for the operation of this concession. All fixed equipment becomes the property of Parks upon installation, at Parks' option. Should Parks choose not to exercise this option upon the termination of this license agreement, it will be the responsibility of the concessionaire to remove fixed equipment and return the licensed premises to Parks in a condition as good as or better than that at the commencement of the license term.
6. The concessionaire will be required to remove all rubbish generated by this concession. The concessionaire will be responsible for cleaning the area within 50' surrounding the structure. Therefore, bidders should indicate what their cleaning schedule will be.
7. All menu items and prices must be approved by Parks. Therefore, bidders should include a proposed menu and price list with their bids. Pursuant to Parks' policy citywide, the concessionaire will not be permitted to sell any beverages in glass bottles at this food cart. All beverages sold should be in non-glass, shatter-proof containers. Also, the use of

polystyrene packaging or food containers will be prohibited in the operation of these concessions.

8. The concessionaire and all employees of the concessionaire must wear uniforms of a color and design approved by NYC Parks & Recreation.
9. The concessionaire must operate, maintain and clean the entire area pertaining to this concession. The concessionaire will be responsible for keeping the areas surrounding the concession clean and free of litter and graffiti. The concessionaire must provide garbage cans at the facilities and will be responsible for the daily emptying of the cans by a private carter. In addition, the concessionaire must comply with all regulations regarding recycling.
10. The concessionaire will be responsible for cleaning bathrooms at these facilities on a regular basis, including scrubbing floors and tiles, repairing holes in the walls with tiles as appropriate, removing any graffiti, painting where necessary, supplying paper towels, toilet paper and soap, and repairing or replacing plumbing fixtures as needed. The concessionaire will be obligated to maintain a regular cleaning schedule, as well as a regular extermination service schedule.
11. The concessionaire will be required to install all necessary utilities, service lines, conduits, water meters, pipes, etc. NYC Parks & Recreation makes no representation that there are existing power or utility lines to service the concession. The concessionaire will be required to pay all utility costs.
12. The concessionaire will be responsible for any and all utility costs connected with the operation of this concession. This includes but is not limited to installing all necessary utilities, service lines, conduits, water meters, pipes, etc. The concessionaire will be required to remove any unsuitable existing materials as required. Parks & Recreation makes no representations that there are adequate utilities currently in place at the site.
13. The concessionaire will be required to carry at least \$500,000 in general liability insurance coverage, \$50,000 in property damage liability, and replacement value in fire and casualty coverage with NYC Parks & Recreation named as Additional Insured.
14. A security deposit of at least 25% of the highest year's guaranteed minimum license fee will be held for the duration of the term of license.
15. The selling and/or advertisement of cigarettes, cigars, or any other tobacco products is strictly prohibited. It is the concessionaire's responsibility to adhere to and enforce this policy.
16. The concessionaire will comply with all City, state and federal laws relating to access for people with disabilities.

17. The concessionaire will be responsible for maintaining total security within the facility and the immediate surrounding area.
18. The concessionaire will be obligated to submit monthly reports of gross receipts by the tenth day of each month for the prior month for the duration of the license term in a format approved by Parks.
19. The concessionaire is responsible for the payment of all applicable taxes for the operation of this concession. No taxes except for consumer sales tax may be deducted from gross receipts.
20. Trees may **not** be removed from the licensed premises. Removal of any trees can only be done with the explicit written approval of NYC Parks & Recreation. Parks does not intend to approve the removal of any living, healthy trees in connection with the cafe operations.
21. The concessionaire must cooperate with Parks in the case of special events, (i.e. Flushing Meadows Corona Park Dragon Boat Race, etc.) or other unanticipated eventualities. With regard to events held in the Park, the concessionaire shall coordinate with the Flushing Meadows Corona Park Special Events Office.
22. Parks Inspectors may visit the concession site unannounced to inspect operations and determine whether or not the concessionaire is complying with the terms of the permit. If these inspectors find violations, the concessionaire may be assessed a fine for each violation. Concessionaires must also comply with all directives originating from inspections by any other City, state or federal agency having jurisdiction over the operation of this concession, (e.g., NYC Department of Health, NYC Fire Department).

SPECIAL NOTE: PARKING LOT

1. The concessionaire should be aware that each year, the parking lot may be utilized for parking at the USTA National Tennis Center for the US Open Tennis Tournament, which is for two (2) weeks before and two (2) weeks after Labor Day.
2. Parks reserves the right at all times to make the final determination as to the use of the parking lot.

THE RFB PROCESS/BIDDING PROCEDURE

A. Bid Submission Instructions

Each bid **must** meet the requirements listed below in the “Bid Submission Requirements” section, and should comply with all the items listed below in the “Bid Submission Guidelines” section. Please fill out the bid information sheet attached to the end of this document. All other information should be printed or typed on 8 1/2” x 11” paper. The bid information sheet, the bid deposit, and all additional information should be submitted in a sealed envelope with the following information written on the outside:

- ☒ Your name and address
- ☒ Solicitation # Q99-BH-K-C(3)
- ☒ Flushing Meadows Corona Park Rowboat and Bicycle Rental
- ☒ Due Date: Wednesday, July 25, 2001 @ 3pm

No bids should be submitted in plastic sleeves or spiral bindings. Illustrations may be included. All plans are subject to Parks approval. Oversized drawings may be submitted, but must be accompanied by 8 1/2x 11" sectionals or reductions to 8 1/2 x 11". No telegraphic or facsimile bids will be accepted.

B. Bid Submission Requirements

Each bid **must** meet the following requirements. Failure to comply with any of these requirements will result in the automatic disqualification of a submission from further consideration.

1. All bids must include a fee offer.
2. The bidder must submit his or her bid in a sealed envelope to the Assistant Commissioner for Revenue, NYC Parks & Recreation, The Arsenal, Room 407, Central Park, New York, New York 10021, **no later than Wednesday, July 25, 2001 @ 3pm. No bids will be accepted after that time.** Bids received after the submission deadline above will be returned unopened and will not be considered for award. In order to ensure that your submission is considered, Parks recommends that bids be hand-delivered to the Arsenal, Room 407 at least one or two days before the submission deadline above.
3. All bidders are required to submit a certified check or money order in the amount of \$2,000 with the bid (payable to City of New York Parks & Recreation). The check of the successful bidder will be retained as liquidated damages in the event that this bidder fails to enter into an agreement with Parks & Recreation. All other checks will be returned.

C. Bid Submission Guidelines

1. Parks expects an escalation of at least five percent (5%) in the guaranteed minimum fee over the license term.

2. Bidders should submit four (4) completed copies of Parks' business questionnaires (Business, Business Entity, Principal, and Personal Questionnaires), which may be obtained by contacting the project manager. All bidders should submit completed copies of two (2) VENDEX questionnaires which can be obtained from the Revenue Office.
Please submit six (6) copies of each form with your bid.
3. Bidders should submit a resume or detailed description of the bidder's professional qualifications. Please highlight any previous experience working for a City agency or City regulatory agency, and the extent to which you have been able to accommodate City procedures. Also, include the names and addresses of all corporate officers of the entity submitting the bid.
4. Prices and suggested menu items should be included with the bid.
5. All bidders should include a detailed, well thought out pro forma income and expense projection for each year of operation. This pro forma should include explanations for all of the assumptions used in its formulation.
6. All bids should include a financial statement prepared in accordance with standard accounting procedures.
7. NYC Parks & Recreation is charged with improving customer satisfaction with the services provided at facilities on parkland. Therefore, Parks would like bidders to explain in their submissions the mechanisms they would use to assess customer satisfaction with the services offered at this concession. Such mechanisms might include customer evaluations or survey forms. Further, Parks would like bidders to explain how they would improve the quality of services offered if the above mechanisms indicate a need to do so.
8. All bidders should submit descriptions and pictures of a few sample boats and bikes.

D. Evaluation and Selection Procedure

In evaluating bids, Parks will select the highest fee offer to the City from a responsible and responsive bidder. Any bid submitted that does not meet the criteria set forth in the *Bid Submission Requirements* section of the RFB will be considered an unresponsive bid. In the event that different bidders offer the highest fee offers for different years of the term, Parks will use a Net Present Value (NPV) analysis to determine which bid has the highest overall fee offer to the City.

E. Other General RFB Requirements and Conditions

NYC Parks & Recreation reserves the right to postpone or cancel the RFB or reject all bids, if in its judgment it would be in the best interests of the City of New York to do so.

Bidders are advised that NYC Parks & Recreation has the option of selecting the successful bidder without conducting negotiations. Therefore, each bidder should submit his or her best bid initially, since negotiations may not take place.

All Request for Bids submission material becomes the property of the City of New York and Parks & Recreation. Bid 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.

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 bids to Parks may request that Parks except all or part of such bids from public disclosure, pursuant to Section 87 (2)(d) of the Public Officers Law, on the grounds that the bid 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 bid or portions thereof for which the exception is requested.

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

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

A bidder may submit a modified bid to replace all or any portion of a bid submitted up until the bid submission deadline. Parks will only consider the latest version of the bid. Late bid modifications will not be considered for evaluation. Bidders may withdraw their bid from consideration at any time before the bid deadline. To withdraw a bid submission, the bidder 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 bidders. Bidders should contact Parks prior to submission of a bid to verify that any and all addenda issued have been received. Bidders should acknowledge the receipt of all addenda as part of their bid submissions.

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 bid process should inform the Comptroller's Office of Contract Administration, located at 1 Centre Street, Room 835, New York, NY 10007. This office may be contacted at (212)669-2323.

Henry J. Stern
Commissioner

FLUSHING MEADOWS CORONA PARK CONCESSION(Q99 BH-K-C(3))
Bid Form
June 2001

This form should be submitted with a certified check or money order in the amount of \$2,000.00 payable to NYC Parks & Recreation, no later than Wednesday, July 25, 2001 @ 3pm. Any additional information should be submitted on 8 1/2 x 11" paper. Bidders are encouraged to submit more detailed information along with this form. All submissions become the property of Parks.

NAME _____ SOCIAL SEC. # _____
Last First M

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: *You must provide at least two (2) numbers at which we will be able reach you.*

BUSINESS () _____ HOME () _____

PAGER/CELLULAR () _____ FAX () _____

OTHER () _____
(If this line is completed, please indicate a contact person or explain further)

FEE OFFER

Year/Season 1: 2001 Season

Minimum Guaranteed Payment \$ _____

Year/Season 2: Option Year 1

Minimum Guaranteed Payment \$ _____
(option at the City's discretion)

Year/Season 3: Option Year 2

Minimum Guaranteed Payment \$ _____
(option at the City's discretion)

Note: Parks expects an increase in the second year's license fee, and a further increase in the third year's fee. Parks strongly encourages an increase of at least 5% between years.

Briefly describe intended repairs and/or capital improvements: _____

List all permits, licenses, leases, and franchises issued by the city or state agencies held by you.

<u>Description</u>	<u>Expiration Date</u>
NY State Sales Tax: _____	_____
Health Department Certificate: _____	_____
Tax I.D. Number: _____	_____

Have you operated at this park previously? Yes _____ No _____

If yes, describe the concession(s): _____

List all current Park permits held by you and/or any entity you control:

Are you a veteran? Yes _____ No _____

Briefly describe your experience and qualifications: _____

Briefly describe how you will improve customer service: _____

I certify that all statements on this form are true to the best of my knowledge.

Signature

Date