

**Solicitation #M10-15-SLB 08/02**

**REQUEST FOR PROPOSALS**

**FOR THE OPERATION OF A SAILBOAT RENTAL SERVICE AT**

**CONSERVATORY WATERS**

**CENTRAL PARK**

**MANHATTAN**

**Issue Date**

**August 22, 2002**

**Michael R. Bloomberg  
Adrian Benepe  
Joanne Imohiosen  
William T. Castro**

**Mayor  
Commissioner of Parks & Recreation  
Assistant Commissioner for Revenue  
Borough Commissioner for Manhattan**

**REQUEST FOR PROPOSALS  
FOR THE OPERATION OF A SAILBOAT RENTAL SERVICE AT  
CONSERVATORY WATERS  
CENTRAL PARK  
MANHATTAN**

NYC Parks & Recreation requests proposals for the operation of a sailboat rental service at Conservatory Waters, Central Park. **A license term of three (3) years is offered.** No longer term will be considered.

**PROJECT MANAGER**

NYC Parks & Recreation Project Manager for this concession is Richard Sedlisky. All RFP questions and requests for project clarification should be directed to him. He may be reached at The Arsenal in Central Park at 212-360-1397.

**REQUEST FOR PROPOSALS TIMETABLE**

The following schedule has been established for the Request for Proposals for the operation of a sailboat rental service:

**RFP Release Date:           Thursday, August 22, 2002**

**Site Tour:                       Wednesday, September 4, 2002 @ 3pm**

**Proposals Due:               Thursday, September 19, 2002 @ 3pm**

If you have a physical disability and cannot deliver your proposal to The Arsenal or cannot attend the proposer's meeting and site tour, please contact Project Manager at least 48 hours prior to the due date or meeting date and arrangements will be made for you.

## **PROJECT BACKGROUND**

The pond at Conservatory Waters, which is located inside Central Park at about East 74 Street, has been used by model boat sailors for more than 100 years. Similar to the sailboats at Jardin des Tuileries in Paris, the boats at Conservatory Waters appeal to New Yorkers and tourists alike and have been included in numerous works of photographers, artists, advertisers and film makers.

A variety of boats can be seen at the pond on any given day during the season, including scale power boats, classic model yachts and other model boats of various shapes and sizes.

The most interesting and intricately designed boats that call the pond home are those operated by the Central Park Model Yacht Club. Operating at the pond since 1916, many of the group's boats took hundreds of hours to build and contribute greatly to the area's ambience, particularly during the Saturday morning regattas.

## **THE TERM**

A license term of three (3) years is offered. No longer term will be considered.

## **REQUIREMENT DURING THE TERM OF THE LICENSE**

- 1** In addition to a Parks' permit, the successful proposer will be responsible for obtaining all necessary approvals, permits and licenses for the lawful operation of this concession.
- 2** The concessionaire will be obligated to supply all equipment necessary to operate this concession, including sailboats, radio transmitters and the movable rental station. All necessary equipment shall be of a design and color approved by NYC Parks & Recreation. The concessionaire will also repair or replace the above if deemed necessary by Parks. Sale of other items, such as post cards, T-shirts or caps, including their design, color and prices are subject to Parks' approval. Advertising of product brands will not be allowed unless approved in advance by Parks.

**THE FOLLOWING MUST BE STRICTLY ADHERED TO**

**Rental Station:** A moveable vehicle, such as a non-motorized cart, will be used for the rental of sailboats. Colors and design of the rental station are subject to Parks' approval. Because the vehicle will be stored in the Kerbs Memorial Boathouse, its dimensions may not exceed the following:

**Length:** 6 feet

**Width:** 3 feet

**Height:** 6 feet 10 inches

The price list and Parks' sticker must be displayed on the rental station. Per hour rental rates and any rate increases are subject to Parks' approval. The current rental rate at this concession is \$10.00 per hour.

**Sailboats:** Up to 15 sailboats will be available for rental. Any changes are subject to Parks' approval. Boats will be of the following dimensions:

**Hull:** Up to 32 inches long

**Mast:** Up to 40 inches high

**Sailboats cannot be rented to children 12 and under without adult supervision.**

**Radio Transmitters:** The following channels will be used for the operation of sailboats:

<b>Boats</b>		<b>Alternate Channels</b>
66	78	67
68	80	71
70	82	73
72	84	81
74	85	87
76	88	90

The concession will use interchangeable crystals to assist in minimizing any channel congestion that may occur. Any conflicts (including frequency channel conflicts) between the sailboat concessionaire, members of the Central Park Model

Yacht Club or private citizens must be settled by the parties involved.

**Safety Factors:** The concessionaire must ensure that all equipment is child proof. Radio control boats require a radio with an antenna. The antenna contains a protective guard on the end. If the guard either falls off or is broken, a needle like point that may cause injury is exposed.

The concessionaire is responsible for monitoring the condition of the protective guard. The concessionaire must also inform customers that during the course of a rental period, if the protective guard is either broken or falls off, the customer must immediately return the transmitter to the rental station for a replacement. **The concessionaire must also remind adults that during the rental period, children must not be left unattended.**

**Hours of Operation:** The concessionaire will operate as follows:

**Monday through Friday** 10am through 7pm      **Sunday** 10am through 7pm

**Saturday** 2pm through 7pm. The shorter operating hours for Saturdays are to accommodate the weekly regatta held by the Central Park Model Yacht Club.

**Rental Rates:** A proposed hourly rental rate should be included in your proposal. This hourly rental rate should be no higher than the current rate (\$10.00) increased by the Consumer Price Index (CPI), and is subject to Parks' approval. Prices, hours of operation and hours with confirmed reservations must be posted on the cart at all times. Any changes are subject to Parks' approval.

**Personnel:** Attendants will wear uniforms consisting of blue or white baseball caps, blue shirts, blue or white pants or shorts and deck shoes or sneakers.

**Storage:** The rental cart and sailboats will be stored overnight in Kerbs Memorial Boathouse. Other items that may be for sale, including caps, T-shirts and post cards, must be stored in a locked box under the cart. Arrangements for access to the boathouse must be made between the concessionaire and Parks' personnel in the Conservatory Waters area. No signage is permitted on the boathouse.

**Cleaning:** The concessionaire will be responsible for keeping the area within 50 feet of the rental station free and clean of litter. The concessionaire should also work with the Central Park Model Yacht Club to clean and maintain the interior of the boathouse.

- 3 The concessionaire will be required to carry personal liability insurance of \$500,000 and \$50,000 property damage insurance. The insurance certificate must name NYC Parks & Recreation as additional insured.
- 4 A security deposit of at least 25% of the highest years' guaranteed minimum license fee will be required for the duration of the term.
- 5 The concessionaire will be obligated to submit monthly reports of gross receipts from all categories of income.
- 6 The concessionaire will comply with all city, state and federal laws relating to access for people with disabilities.
- 7 The advertising of cigarettes, cigars or any tobacco products is prohibited.
- 8 The concessionaire is responsible for the payment of all taxes applicable to the concession's operation. Except for the Combined State and City Sales Tax, no such applicable taxes, including but not limited to the Commercial Rent Tax, may be deducted from gross receipts or from license fees.
- 9 Failure to abide by and perform the foregoing requirements during the term of a concession may result in termination of a contract. Any such warnings or terminations may be considered in making future determinations.

## **THE RFP PROCESS/PROPOSAL PROCEDURE**

### **Proposal Submission Requirements**

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

- 1 Each proposal must contain a fee offer.
- 2 All proposals must be received in the office of the Assistant Commissioner, Revenue Division, NYC Parks & Recreation, The Arsenal, 830 Fifth Avenue, Room 407, New York, NY 10021, no later than **3pm, Thursday, September 19, 2002.** Hand delivery to Room 407 before the deadline is recommended.

**All proposals must be submitted in sealed envelopes. Proposals received after the time and date listed above will be returned to the proposer unopened and will not be considered for award.**

- 3 All proposers are required to submit as a proposal deposit, a **certified check, official bank check, cashier's check or money order in the amount of \$1,000** with the proposal (payable to NYC Parks & Recreation). **Personal checks will not be accepted.** The check/money order will be retained as liquidated damages in the event the successful proposer fails to enter into an agreement with Parks. All other checks/money orders will be returned to unsuccessful proposers immediately after the contract is signed with the successful proposer.

### **Proposal Submission Guidelines**

Each proposal is expected to include the following information. While not required, this information will facilitate the Department's decision to award the concession.

- 1 All proposers should submit a proposal that includes all the required information and a fee offer. The fee offer should state the highest sum each proposer is prepared to pay to the city expressed as a guaranteed annual minimum fee versus a percentage of gross receipts, whichever is greater, for each season/year of the license.
- 2 All proposers should submit completed copies of business and personal questionnaires that can be obtained through the Revenue office. **Please submit four (4) copies of each form with your proposal.**
- 3 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 their professional qualifications, and include the names and addresses of all corporate officers submitting the proposals.

- 4 Proposers should also indicate whether they have had previous experience working with a city agency, or with city regulatory agencies, and the extent to which they can accommodate city procedures.
- 5 Proposers should include a list of hourly rental rates and a list with prices of all items to be sold. The items and prices are subject to Parks' approval.
- 6 Proposers should give an estimated number of full- and part-time employees, categories of employment, and a breakdown of how many will be hired from the local community.
- 7 Proposals should be submitted on **one side only** of 8 1/2" by 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 8 1/2" by 11". **Please submit four (4) copies of your proposal.**
- 8 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.
- 9 NYC Parks & Recreation is charged with improving customer satisfaction with our services. Parks will view favorably all proposals that incorporate self-check mechanisms that indicate the quality of services offered. Such mechanisms include, but are not limited to, a customer evaluation of survey form filled out on a regular basis. In addition, NYC Parks & Recreation would like to see proposals that indicate how the proposer would improve services offered to the public if necessary.
- 10 On the outside envelope of the proposal, you must write the following:
  - 1 **Your Name and Address**
  - 2 **Solicitation #M10-15-SLB 08/02**
  - 3 **"CP Sailboat Rentals"**



#### **4 Due Date: Thursday, September 19, 2002 @ 3pm**

**Anyone who is considering responding to this RFP is strongly urged to attend the site meeting.**

#### **Evaluation and Selection Procedures**

The selection will be made by the NYC Parks & Recreation Selection Committee, based on criteria and in accordance with procedures established by the Franchise and Concession Review Committee. The proposer determined by NYC Parks & Recreation to have the best overall proposal will be awarded the concession.

#### **Proposal Evaluation Criteria**

In evaluating proposals, the NYC Parks & Recreation Selection Committee will use the following criteria:

- **Fee offer**
- **Operating experience in the field (including experience as a city concessionaire, if applicable)**
- **Financial capability, including a pro forma of estimated income and expense, stating the assumptions used in this formulation**
- **Benefit to the community**

#### **Evaluation Procedures**

NYC Parks & Recreation will only consider proposals that meet satisfactory levels of the above criteria. The city is not required to accept the proposal with the highest fee offer. In addition, Parks' 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 to the requirements of the RFP, will result in the rejection of the proposal.

#### **FREEDOM OF INFORMATION LAW**

NYC Parks & Recreation is subject to the 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 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 the 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 for which the exception is requested. If Parks grants the request for exception from disclosure, Parks shall keep such proposal or portion thereof in secure facilities.

### **OTHER GENERAL RFP REQUIREMENTS AND CONDITIONS**

- 1** NYC Parks & Recreation reserves the right to postpone or cancel this RFP or to 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.
- 2** All Request for Proposals submission materials become the property of the City of New York and the Department of Parks & Recreation.
- 3** Proposers may mark as confidential those portions of a proposal which they believe are not required to be disclosed under the New York State Freedom of Information Law.
- 4** Proposers will be required to fill out VENDEX questionnaires and submit four (4) copies of each with their proposal.
- 5** NYC Parks & Recreation shall not be liable for any costs incurred by proposers in the preparation of proposals or for any work performed in connection therein.
- 6** 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.

- 7** Proposers are advised that NYC Parks & Recreation has the option to select the proposer without conducting negotiations and that each proposer should submit his/her best proposal initially since negotiations may not take place.
- 8** Proposers are to contact the agency prior to submission of proposals to verify that addenda issued have been received and proposers are to acknowledge the receipt of all addenda as part of their proposals. Technical addenda issued by NYC Parks & Recreation will be the only authorized method for communication clarification information to all potential proposers.
- 9** The New York City Comptroller's Office is charged with 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, Office of Contract Administration, 1 Centre Street, Room 835, New York, NY 10007. Telephone: 212-669-2323.

Adrian Benepe,  
Commissioner