

Request For Proposals  
Flushing Meadows Ice Skating Rink  
Page 1



New York, NY 10021

**New York City Parks & Recreation**  
**The Arsenal, Central Park**

—

**SOLICITATION # Q 99 –(1) IS**

**REQUEST FOR PROPOSALS**

**FOR THE OUTFITTING, OPERATION AND MANAGEMENT OF AN INDOOR  
ICE RINK FACILITY, PRO SHOP, SKATE RENTAL AND SNACK BARS AT  
FLUSHING MEADOWS CORONA PARK, QUEENS, NEW YORK**

**ISSUE DATE: March 16, 2001**

**RUDOLPH W. GIULIANI  
HENRY J. STERN  
JOANNE G. IMOHIOSEN  
ESTELLE COOPER  
RICHARD MURPHY**

**MAYOR OF THE CITY OF NEW YORK  
COMMISSIONER OF PARKS & RECREATION  
ASSISTANT COMMISSIONER FOR REVENUE  
ASSISTANT COMMISSIONER FOR QUEENS PARKS  
PARKS BOROUGH COMMISSIONER FOR QUEENS**





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

### **The Concession: Overview and Existing Conditions**

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 magnificent park for the City, and was found to be a perfect area to host the 1939 and 1964 World's Fairs. Both of the World's Fairs left behind a number of prominent structures in the park, such as the Amphitheater, 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, a haven for all New Yorkers who wish to play, picnic, or just relax, will soon be the home of a spectacular new recreation complex consisting of a competition size pool and an ice rink. The City will operate the pool, with the ice rink facility comprising this concession opportunity.

The successful concessionaire will have an opportunity to capitalize on an under-served market for ice hockey leagues and open public skating sessions in New York City and nearby Nassau County areas. The existing skating rink presently housed in the New York City building is scheduled to be closed eventually because of its aged condition and need of extensive repair. The Queens Museum will renovate the areas abandoned by the skating rink and incorporate this space into the museum operations. The new ice rink will replace what will be demolished, and address the shortage of skating rinks in the borough. This new facility must be capable of accommodating both open skating and league hockey play. The division of time allotted for each of these activities will be subject to Parks' approval. The ice rink will be situated in the northeast corner of Flushing Meadows Corona Park, Queens, adjacent to the Van Wyck Expressway, on the site of a former parking lot. Pile excavation is expected to commence in the spring of 2001; construction of the facility to house the rink is expected to begin in the summer of 2001. The concession space should be completed by September 2002; at which time the successful concessionaire may begin to outfit the rink and other concession spaces. The expected completion date of the entire facility is the fall of 2002.\* The ice rink area will allow the concessionaire to outfit for a NCAA standard regulation rink (min. 85ft. by 200ft), with a projected seating capacity of up to 389 persons. There is an 800 spot public parking area under the nearby Van Wyck Expressway that may accommodate patrons of this facility, but

is not for the facilities' use exclusively.

This concession will include the following: the outfitting, operation and management of the ice rink, the ice skate rental concession, a pro shop, administrative office and a first aid office, a ground floor snack bar concession, restrooms in the facility, and between three and four party rooms. There will also be a concession space on the third floor of the main lobby area of approximately 3,500-sq. ft., where the successful concessionaire can operate a food concession, and provide tables and chairs for patrons.

The City of New York will construct the building structure to house the rink and concession space, including the ice rink concrete floor slab, rink refrigeration, rink header, rink coils, bleachers, and HVAC. The concessionaire will be responsible for outfitting and providing all finishes for the remainder of the concession, including electrical (including lighting), fire protection, lockers, benches, millwork, rubber flooring, off ice rubber flooring, score board, miscellaneous plumbing fixtures and infrastructure, and miscellaneous rink equipment. The attached plans provided represent a suggested layout. The successful concessionaire and his/her architect/engineer is to finalize the layout and must obtain all required approvals and permits. The concessionaire may redesign the plan designs to suit his/her needs, subject to the placement of utility disconnects (plumbing, electricity, etc.) and to Parks approval (bearing in mind the designs must contain office space, restrooms, a first aid room, a pro shop, snack bars, between three to four party rooms and a skate rental).

All prices (including but not limited to price increases) rental and lesson fees, hours of operation, general session hours, league schedules and membership fees, pro shop items and corresponding prices, party room rental fees, snack bar menu and price list, and inventory items must be approved by Parks & Recreation. Any other fees and prices must also be approved by Parks & Recreation. The Concessionaire may be allowed to charge higher non-resident fees pending Parks approval.

*\* All dates are subject to vary as circumstances may warrant.*

### **Capital Investment and Equipment**

The City will provide the following capital investment for this concession: Build the outer facility to house the rink, provide HVAC, Bleacher precasts including beams, concrete slab 5" thick, vapor barrier, rink refrigeration, header and coils.

The successful proposer will be required to perform the following capital investments (note: all materials intended for uses in this concession are subject to Parks' approval).

#### **Outfitting of Ice Rink and Concession spaces, including but not exclusively limited to the following:**

- All lighting including wiring.

- Complete installation of ice melting pit piping (ice melt pit and drainage system already provided for).
- Provide and install storage tanks required to provide heated water to ice melt pit, and all necessary piping for the system location of which must be clearly noted on design plans submitted to Parks, and subject to Parks' approval and the approval of all other agencies having jurisdiction.
- Painting and installation of stripes on concrete base.
- Providing accessory items to make and maintain ice, including an ice edger.
- Assist in making of first ice.

**Utilities System, including but not limited to:**

Parks will look favorably on proposals that include responsibility for all utility costs related to this concession, and portions of common lobby spaces. The concession must provide all final utility service connections, including but not limited to: ductwork, lighting, power distribution, supplying any necessary feeder cables, meters, wiring, gas lines, water, pumps, heating, oil, sprinklers, etc, for the ice rink and all concession related spaces. Parks will temporarily provide all necessary utilities (i.e.: temporary lighting, sprinklers, power, etc.) until such time as utilities permanently installed by concessionaire are operational. All utilities for this concession must be fully installed and fully operational by the opening of the concession.

**Dasherboard System, including but not limited to:**

- Complete dasherboard system installed, including all anchors, players' benches, etc. A flexible board system to absorb impact must be installed.
- Team boxes, penalty boxes, and scorer's box.
- Gates and access doors.
- Seamless tempered glass shielding for dasher panels. Glass should be at least 5/8" thick tempered glass or acrylic equivalent. Dasherboard and glass shielding heights should be clearly noted in design plans submitted for this proposal, and are subject to Parks approval.
- Goals, nets and inserts.

**Rubber Flooring, including but not limited to:**

- All rubber flooring to be installed in designated areas, and to be adhered to the concrete slab, (materials intended for use subject to Parks Department approval). Rubber flooring such as Mondo Sport Impact rubber flooring or an approved equivalent should be used.

**Additional items which must be provided for by the concessionaire:**

- All emergency fire systems, emergency lighting, and exit lights
- All finishes for the ice rink and its support spaces, such as the VCT (vinyl composition tile), acoustic tile and paint. The concessionaire must provide and install gypsum drywall assemblies for walls and ceilings, hung ceiling system, carpeting, ceramic and quarry floor tile; with placements to be indicated. Concessionaire must also paint unfinished surfaces of walls and ceilings using a three-coat system. All finishes partitions and doors provided by the concessionaire must be fire rated and meet or exceed all New York City buildings codes and all other applicable codes.
- The concessionaire must provide all partitions and doors for the ice rink and other concession spaces. The concessionaire must provide and install hollow metal doors and frames with hardware. Exterior doors are to be 14 gauge doors and 12 gauge frames, interior doors are to be 16 gauge doors with 14 gauge frames. The concessionaire must also provide thresholds, weather stripping and seals as required throughout. (All materials for partitions and doors intended for use should be consistent with those used in the pool facility and common lobby spaces, and are subject to Parks Department approval).
- All mill work for the ice rink food concession, pro shop and skate rental including all counters, cubbies and shelving (all mill work should be consistent with mill work in pool facility and common lobby spaces, and is subject to Parks approval).
- All specialties for the ice rink, lockers, toilets and toilet accessories, toilet partitions and privacy screens
- Wall attached benches in the four team changing rooms with coat hooks above (with provisions for 24 players per room)
- A new, state of the art P.A. and sound system for the ice rink
- A new state of the art scoreboard for the ice rink
- Purchase, operation, and maintenance of two state of the art electric Zamboni machines and all related

equipment.

- One scissor lift or a one man lift able to reach a 50' foot ceiling to service ceiling and light fixtures.
- All hockey related equipment including goal piping and netting
- Skate sharpener and new rental skates

**Snack bar facility and third floor lobby concession space, including but not limited to the following:**

The successful proposer will be responsible for the outfitting, operation and maintenance of a ground floor snackbar at the facility, and a food concession in the third floor lobby area, and responsible for all necessary utilities to operate these food concessions. The concessionaire must also provide for all necessary equipment for the snack bar and third floor lobby food concession, including but not limited to the following: counter space, a refrigeration unit and food preparation items, such as a microwave and toaster oven. The kitchen layout for the snack bar, third floor lobby food concession, and all equipment used in each must be in compliance with New York City Department of Health regulations and all other governing authorities.

The successful proposer will be responsible for obtaining all necessary permits for kitchen operations. The snack bar area and third floor food concession area should adhere to all suggested design parameters set forth by Parks (provided to the successful concessionaire). Any changes to the area design of either food concession area requires prior approval from Parks.

Proposers must include in their proposals a detailed cost estimate and a capital design timetable that clearly outlines the required capital work. **Commencement and completion dates of all work related to this concession must be coordinated with the Capital division of the Parks Department. Outfitting of the entire ice rink and all other concession areas of this facility, and installation and operation of all related utilities should be completed prior to or simultaneously with the adjacent pool facility and overall building construction completion.** In the successful proposer's license agreement, cost estimates provided in the proposal will become a minimum required expenditure, and the time frame proposed will be included as a requirement. Please be realistic in the investment and time frame you offer.

### **The Term**

The term for this concession will be for 20 years. No longer term will be considered. This concession will be operated pursuant to a license issued by Parks; no leasehold or other proprietary right is offered. (note: the concessionaire will be required to maintain, repair (or replace when necessary) all concession related equipment for the term of this concession.

### **Requirements During the Term of the License**

1. All necessary capital work for this concession will be at the successful proposer's sole cost and expense.
2. The concessionaire will be required to retain a professional engineer and registered architect licensed in the State of New York for design and filings of proposed capital work and to oversee the entire project through its duration. This supervising architect or engineer will be responsible for ensuring that all work performed conforms to the plans approved by Parks Design Division. Proposers must submit this Engineer's or Architect's qualifications to Parks for approval. All contractors retained by the successful proposer must be New York State licensed, bonded and insured.
3. The successful proposer must also consult with the project architect, engineer, and construction manager through the Parks Capital division. *(Note: All designs and works to be performed on the structure will require prior approval from Parks & Recreation, and all other agencies having jurisdiction.)*
4. Proposers must submit a full set of plans with finishes, material lists and equipment lists for Parks approval. All designs and drawing submitted must be signed and sealed by a licensed Architect and Engineer.
5. The successful proposer will be responsible for obtaining any and all necessary approvals, permits and licenses for the construction and lawful operation of this concession and all concession related spaces. All work performed in relation to this concession must comply with all Federal, New York State, and New York City building codes, and be ADA (Americans with Disabilities Act) compliant.
6. The concessionaire will be required to remove all trash and rubbish generated by this concession, and will be responsible for cleaning the area surrounding the structure, and keeping the entire concession free of litter. Therefore, proposers should indicate what their cleaning schedule will be. The concessionaire will be responsible for maintaining the first floor public bathrooms at the site. These bathrooms must be open daily, and must be cleaned on a regular schedule approved by Parks. The concessionaire must provide a garbage control and removal system to be approved by Parks, and must comply with all City, State, and Federal regulations regarding recycling. The concessionaire will also be responsible for general maintenance and upkeep of the facility, and must also paint the entire concession area as needed, also providing for paint, paint supplies and related labor.



7. The concessionaire must supply all equipment necessary for the operation of this concession. All fixed equipment, including but not limited to the following: approved light fixtures, approved P.A./sound system equipment, bleachers, lockers, goal posting and netting, scoreboard, and snack bar kitchen equipment becomes the property of Parks upon installation, 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 as or better than that at the commencement of the license term.
8. The concessionaire must provide a non-resettable ticket machine, and report admissions to Parks & Recreation on a weekly basis.
9. All prices, fees, and fee/price increases must be approved in writing by Parks & Recreation.
10. The concessionaire will be required to carry at least two million dollars (\$2,000,000.00) coverage in general/personal liability insurance coverage, one million dollars (\$1,000,000.00) coverage in property damage liability, and replacement value in fire and casualty coverage with the NYC Parks & Recreation named as Additional Insured.
11. The concessionaire will be responsible for maintaining total security for all concession spaces.
12. **A security deposit of at least 25% of the highest year's guaranteed minimum license fee will be held for the duration of the license term.**
13. The concessionaire will be required to submit monthly statements of gross receipts in a format approved by Parks & Recreation.
14. The selling and/or advertisement of cigarettes, cigars, or any other tobacco products are strictly prohibited. It is the concessionaire's responsibility to adhere to and enforce this policy.
15. The concessionaire's staff will be required to wear uniforms that have been approved by Parks.
16. The use of polystyrene packaging or food containers will be prohibited in the operation of the snack bar.
17. The concessionaire will comply with all City, State and Federal laws relating to access for people with disabilities.
18. The concessionaire is responsible for the payment of all taxes applicable to the operation of the concession. With the exception of the Combined State and NYC Sales Tax on Food, no such applicable taxes may be deducted from gross receipts or from license fees.

19. Concessionaires must comply with all terms of their license agreements. Inspectors from Parks will visit the concession site unannounced to inspect your operations and determine whether or not you are complying with the terms of your license. If inspectors find violations, you may be fined for each violation. If you do not pay such fines, they will be deducted from the security deposit held by Parks.
20. The concessionaire must cooperate with Parks in the case of special events or other unanticipated eventualities.
21. Proposers must be aware that Parks reserves the right to use the facility for up to six (6) events each year.
22. Proposers should be aware that this concession will be developed and operated pursuant to a license agreement issued by Parks. In the event the license agreement is terminated for reasons other than licensee's breach, Parks will not consider proposals for reimbursement of licensee's unamortized capital improvement costs as of the date of termination.

### **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 or the total of the actual costs of design and improvements, whichever is greater. **The fee is 1.0% of the total cost.** The proposer will pay, upon signing the license agreement, the Design Review Fee based upon the capital investment to which such proposer/licensee is committed in the license agreement.

## **The Request for Proposals Process/Proposal Procedure**

### **A. Proposal Submission Instructions**

All proposals **must** meet the requirements listed below in the Proposal Submission Requirements section, and should comply with all the items listed below in the AProposal Submission Guidelines section. Proposals should be printed or typed on 8 1/2 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:

Your name and address  
Solicitation Q 99 (1)- IS  
Ice Rink, Flushing Meadows Corona Park  
Return Date: Wednesday, May 9, 2001 @ 3pm

No proposals should be submitted in plastic sleeves or spiral binders. Illustrations may be included. All plans are subject to Parks approval. Oversized drawings may be submitted but must be accompanied by 82≅ x 11" sectionals or reductions to 8 2≅ x 11". No telegraphic or facsimile proposals will be accepted.

Please contact the project manager to obtain the necessary business questionnaires (listed below in the Submission Guidelines section), and submit three (3)-completed copies of each questionnaire as part of your proposal submission.

## **B. Proposal Submission Requirements**

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

1. All proposals must include a fee offer.
2. Proposals must be submitted in sealed envelopes to the Assistant Commissioner for Revenue, NYC Parks & Recreation, The Arsenal, Room 407, Central Park, New York, New York 10021, **no later than Wednesday, May 9, 2001 @ 3pm. No proposals will be accepted after that time.** Proposals received after the submission deadline above will be returned unopened and will not be considered for award. In order to ensure that your proposal submission can be considered, Parks recommends that proposals be hand-delivered at least one or two days before the submission deadline above.
3. Proposers must submit a certified check or money order in the amount of \$10,000 (ten thousand dollars) with the proposal (payable to NYC Parks & Recreation). The check of the successful proposer will be retained as liquidated damages in the event that this proposer fails to enter into an agreement with Parks & Recreation. All other checks will be returned.

## **C. Proposal Submission Guidelines**

1. The fee offer should state the highest sum each proposer is prepared to pay as a license fee, expressed as a guaranteed minimum annual fee versus a percentage (%) of gross receipts. The City expects an escalation of the guaranteed annual minimum fee over the license's term.
2. Proposals should include completed copies of Parks business questionnaires (Business, Business Entity, Principal, and Personal Questionnaires) and VENDEX questionnaires (Business Entity and Principal Questionnaires), which may be obtained by contacting the project manager.
3. Proposals should include a resume or detailed description of the proposer's professional qualifications. Please highlight any previous experience working for city agencies or city regulatory agencies, and the extent to which you have been able to accommodate city procedures. Also, please be sure to include the names and addresses of all corporate officers of the entity submitting the proposal.
4. Proposals should include a detailed capital design timetable, which clearly outlines intended work, and all the projected cost of the work involved. Please note that capital investment and design will be heavily weighed components in Parks evaluation process. Please do not exaggerate capital investment; in the successful proposer's license agreement, the cost estimates provided in the proposal will become a minimum required expenditure, and the time frame proposed will become a required construction schedule. Therefore, please be realistic or even conservative in the investment and time frame offered.
5. Proposers should include a detailed list of all equipment costs involved with this project.
6. Please include suggested prices and fees, hours of operation, and inventory/menu items
7. Proposals should include an estimated number of full-time and seasonal employees that this concession will employ, the positions these employees will fill, and the percentage of these employees who will be hired from the surrounding community. Parks will view favorably proposals that will employ members of the surrounding community.
8. Parks will view favorably proposals that will accommodate Parks events and/or allow Parks to use the facility for special events.
9. Parks will view favorably proposals which include substantial community programming and/or programs to benefit the surrounding community. (e.g., lessons, junior programs, events)
10. All proposers should include a detailed, well thought out pro forma income and expense projection for the first five years of operation. This pro forma projection should include explanations for all of the assumptions used in its formulation.

11. All proposals should include a financial statement prepared in accordance with standard accounting procedures.
12. NYC Parks & Recreation is charged with improving customer satisfaction with the services provided at facilities on Parks property. Therefore, Parks would like proposers to explain in their submissions the mechanisms they would use to measure customer satisfaction with the services offered as part of this concession. Such mechanisms might include customer evaluations or survey forms. Further, Parks would like proposers to explain how they would improve the quality of services offered if the above mechanisms indicate a need to do so.

#### **D. Evaluation and Selection Procedure**

The proposals will be evaluated by a Parks & Recreation selection committee, in accordance with procedures established by the Franchise and Concession Review Committee, based on the criteria indicated below. The concession will be awarded to the proposer whose submission the selection committee judges best overall based on these criteria.

##### 1. Proposal Evaluation Criteria

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

- Fee offer
- Proposed capital investment and designs submitted
- Planned operations: rates and affordability, proposed hours of operation; schedule of league operation and public session skating
- Operating experience, including experience as a city concessionaire
- Financial capability (as indicated by financial statement and business questionnaires)

##### 2. Evaluation Procedures

Parks & Recreation will only consider proposals that meet satisfactory levels of the above criteria.

The City is not required to accept the proposal that includes the highest fee offer. Parks acceptance of a proposal does not imply that every element of that proposal has been accepted.

Parks & Recreation cannot consider any proposal which does not comply with the ASubmission Requirements section of this RFP. Proposals which do not meet these requirements will not be evaluated.

Where feasible, Parks employees will visit facilities currently operated by proposers.

## **E. Other General RFP Requirements and Conditions**

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

Proposers are advised that NYC Parks & Recreation has 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 material becomes the property of the City of New York and Parks & 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.

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, located at 1 Centre Street, Room 835, New York, NY 10007. This office may be contacted at (212)669-2323.

Henry J. Stern  
Commissioner