



**City of New York
Parks & Recreation**

The Arsenal
Central Park
New York, NY 10021

Solicitation # Q-01-SB 10/03

REQUEST FOR PROPOSALS

FOR THE CONVERSION OF AN ADMINISTRATOR'S BUILDING AND COMFORT STATION INTO A FOOD SERVICE FACILITY IN ALLEY POND PARK, QUEENS

**Issue Date
October 27, 2003**

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**Mayor of the City of New York
Commissioner of Parks & Recreation
Assistant Commissioner for Revenue
Borough Commissioner of Queens**

www.nyc.gov/parks

REQUEST FOR PROPOSALS

FOR THE CONVERSION OF AN ADMINISTRATOR'S BUILDING AND COMFORT STATION INTO A FOOD SERVICE FACILITY IN ALLEY POND PARK, QUEENS

City of New York / Parks & Recreation requests proposals for the renovation and redevelopment of an administrator's building and comfort station in Alley Pond Park located adjacent to Union Turnpike and Grand Central Parkway.

Parks is seeking proposals to redevelop the building as a food service facility, by renovating the building in such a way as to preserve its architectural character.

Parks is seeking proposers to operate this facility for a fifteen (15) year license term. No longer term will be considered.

Project Manager

The Parks & Recreation Project Manager for this concession is Slater Gray. All questions with regard to this Request for Proposal ("RFP") or any other inquiries related to this project should be directed to her at (212) 360-1397. She may also be reached by fax at (212) 360-3434 or e-mail at slater.gray@parks.nyc.gov.



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

Request For Proposals Timetable

The following schedule has been established for the Request for Proposals for the renovation and redevelopment of an administrator's building and comfort station in Alley Pond Park located adjacent to Union Turnpike and Grand Central Parkway in Queens. This schedule is subject to change as circumstances warrant.

RFP Release Date:	October 27, 2003
Proposer Meeting & Site Tour:	Tuesday, November 18, 2003 at 11:00 a.m.
Proposals Due:	Friday, December 5, 2003 at 3:00 p.m.



Note: If you have a physical disability that 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

ALLEY POND PARK

The City gradually acquired the land for Alley Pond Park, the second-largest park in Queens, between 1927 and the present. Alley Pond Park officially opened in 1935 to offer bridle paths, tennis courts, picnic areas, a 23-acre bird sanctuary and a 200-space parking lot to the public.

Alley Pond Park offers glimpses into New York's geologic past, its colonial history, and its current conservation efforts. Over \$10.9 million was spent from 1985 to 1999 to acquire more land for the park, ensuring that historic Alley Pond remains a place of respite and recreation for many years to come. In 1993, almost \$1 million was spent to restore the Picnic Grove, renovate two stone buildings, and reconstruct the playground and soccer field, guaranteeing that future generations will continue to be able to enjoy the park.

THE CONCESSION

The facility is an attractive, stone one-story building currently being used as an administration building and comfort station adjacent to the park's popular ball fields and tennis courts, which are bubbled in the winter for indoor use. Each year, over 1,000 park permits are issued for 100 different leagues competing in baseball, softball, cricket, football and soccer on these fields. These leagues are comprised of both children's and adult teams, which brings a diverse age group to the park. In addition, the site is host to numerous popular special events throughout the course of the summer and lies across the street from the busy Creedmore Hospital. The building is accessible to passing vehicle traffic as it is positioned next to a large parking lot adjacent to Union Turnpike near the Long Island Expressway, Cross Island Parkway, and Grand Central Parkway. The neighboring Douglaston Mall and Glen Oaks Village also lie within convenient driving distance of the concession site.

The intent of the concession is to convert the administration building into a pleasant and affordable food service facility for the public. One small office will be kept for Parks' administrative purposes and storage space for maintenance materials. The concessionaire will be required to maintain and clean the men's and women's bathrooms whenever the concession is operating. The concessionaire should also supply at least two (2) twenty-yard storage containers for teams' athletic equipment. Additionally, the Alley Pond Striders running group will continue to use the facility for their monthly meetings and should be provided with bulletin board space for their advertisements and announcements.

During the warmer months, tables and chairs can be set up outside for dining with views to the ball fields and tennis courts. The concessionaire must submit a menu and price list with the proposal, both of which must be approved in advance by Parks. Beer and wine may be sold at this facility if a proper license is obtained from the State Liquor Authority (SLA). Beer and wine service must be confined to a defined seating area subject to Parks' approval.

Parks seeks creative and detailed proposals that are sensitive to the park, surrounding community and architectural integrity of the building. Proposers should submit drawings showing the proposed layout and appearance of the facility and the concession site, a detailed plan of operation, price lists, and other appropriate ideas that will facilitate the development of this facility. All plans and prices will be subject to Parks' approval.

Parks & Recreation seeks a concession that will be designed, maintained and operated at the highest standards and will make a significant improvement to the ambience of the park while providing a convenience to the public.

THE TERM

The license term for this concession will be fifteen (15) years. No longer term will be considered. This concession will be operated pursuant to a license agreement with City of New York / Parks & Recreation; no leasehold or other proprietary right is offered.

OPERATIONS

1. The concessionaire must submit a menu and price list with the proposal, both of which must be approved in advance by Parks. Beer and wine may be sold at this facility if a proper license is obtained from the State Liquor Authority (SLA). Beer and wine service must be confined to a defined seating area subject to Parks' approval.
2. Beer and wine may not be served from bottles or cans, but must be decanted into paper or recyclable plastic cups.
3. The concessionaire will be required to maintain and clean the men's and women's bathrooms whenever the concession is operating. The concessionaire will also be required to provide all necessary supplies for the usage and cleaning of the bathrooms. The concessionaire will be obligated to maintain a regular bathroom-cleaning schedule which should be described in the proposal.
4. A non-renewable term of fifteen (15) years is being offered.

CAPITAL IMPROVEMENTS

- A complete remodeling will be required to convert this building into a food service facility, which may include a snackbar and café. Required capital improvements include, but are not limited to, the following:
- Install new windows and doors to open up the park-side façade to provide light and allow views of the fields and courts. Style and design should be in keeping with the overall character of the building.
- Provide all kitchen equipment including, but not limited to stoves, refrigerators, ovens, grilles, sinks, ansul exhaust and fire suppression system.
- Install new display and service counter or provide alternate plans for interior service.
- Install new electric meter, upgrading service if needed.

- Install new lighting systems subject to Parks' approval.
- If gas service is desired, the concessionaire will be required to install new gas meters, gas lines and initiate service.
- Maintain and service the existing restrooms, making repairs to fixtures, stalls, doors, windows and accessories if necessary.
- Maintain sewer lines and install new grease traps to code at all sinks used for food service.
- Upgrade plumbing system, including all piping fixtures, drainage and water, installing a new water meter for the snack bar service.
- Repair and repaint the interior throughout.
- Repaint and reseal any exterior wood trim and moldings.
- Purchase and maintain all kitchen equipment including exhaust vent and fire suppression system.
- Provide a new secure storage room in the existing locker rooms. This area may include a walk-in refrigerator box.
- Provide temporary barriers and landscaping to define the outdoor seating area. If the grass areas on the park side of the building are used for seating, landscaping and maintenance will be required. Parks must approve all landscaping and seating areas.

The successful proposer will also be required to supply all additional non-fixed equipment and materials for the successful operation of the café. This equipment should be listed separately in your proposal under the category of additional investment. This equipment will remain the property of the proposer and the investment will not be applied to the required capital expenditure.

The building's footprint will not be permitted to be expanded.

While there is existing water, sewer, electric and phone service to the building, Parks makes no guaranty that any of the existing utilities are adequate for the intended new use. The concessionaire will be responsible for any and all utility costs connected to the operation of this concession. This may include, but is not limited to, supplying and installing any necessary feeder cables, meters, wiring, gas lines, water, sewer lines, pumps, etc.

Parks will consider designs that include outdoor seating. Proposers should submit photographs of the tables and chairs they plan to use for this purpose. The exact placement and number of such tables and chairs are subject to Parks' approval.

*** Note:** *All necessary permits and approvals for capital work and design must be obtained from the Department of Buildings, including certificate of occupancy and public assembly permit if applicable. Additionally, all designs and works to be performed on the exterior structure will require prior approval from Parks & Recreation, the New York City Art Commission, and any other agencies having jurisdiction.*

Please note that Parks will weigh capital investment and design heavily in its evaluation process. Therefore, please describe all intended capital work and provide cost estimates for this capital work in your proposal submission. In addition, please include a detailed capital/design timetable which clearly outlines proposed improvements and the anticipated commencement and completion dates for these improvements (i.e., the expected duration of each improvement). In putting together your capital submission, please be aware that in the successful proposer's license

agreement, the cost estimates provided in its proposal will become a minimum required capital expenditure, and the time frame proposed will become a mandatory capital schedule. In the event the successful proposer performs all capital improvements for less than the minimum required capital expenditure, any excess monies shall be remitted to the City as additional license fees. Therefore, please be realistic or even conservative in the investment and time frame you offer.

Design Review Fee

A percentage of the total cost of all capital improvements will be charged to the concessionaire for the review of the design documents by Parks Personnel. Upon signing the license agreement, the successful proposer will pay the design review fee, which is one percent (1%) of the capital investment to which the proposer/licensee is committed in the license agreement.

Requirements During the Term of the License

1. 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.
2. 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. This security deposit will be due upon signing the license agreement.
3. The concessionaire will be required to carry at least \$1,000,000.00 in general/personal liability insurance coverage, \$1,000,000.00 in property damage liability and replacement value in fire and casualty coverage with the **City of New York** and the **Department of Parks and Recreation** named as **Additional Insureds**.
4. The concessionaire will supply all equipment and materials necessary for the operation of this concession. All fixed equipment and equipment applied towards the required capital improvements becomes the property of Parks upon installation, at Parks' option. Should Parks choose not to exercise this option, it becomes 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 its condition at the commencement of the license term.
5. The concessionaire will be required to hire 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 required to ensure that all construction conforms to the plans approved by Parks' Design Division. Proposers should submit the engineer or architect's qualifications to Parks for approval.
6. The concessionaire will be required to post a construction security deposit in an amount acceptable to Parks before any work commences.
7. The concessionaire must provide Parks with a full set of design plans and specifications

before commencing any construction or renovation project and as-built drawings upon completion of the work. The plans should be in ink on mylar paper.

8. The concessionaire is required to have an asbestos inspection performed on the facility prior to the commencement of construction. In the event that asbestos removal is deemed necessary, the concessionaire will remove the asbestos according to City, State and Federal regulations.

9. The concessionaire may not cut down or remove any trees on the permitted premises without prior written approval from Parks. Any attachments to the trees, such as lights, will not be permitted.

10. The concessionaire will be required to register any and all underground oil storage tanks over a 1,100-gallon capacity with the Department of Environmental Protection (DEP). The concessionaire will then be required to perform or to have performed a tightness test conducted at least once every five years.

11. 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.

12. The concessionaire must submit monthly reports of gross receipts, in a format approved by Parks, broken down into categories of income. At the end of each operating year, the concessionaire will be required to submit a detailed income and expense statement for the past year's operation.

13. The concessionaire will pay all taxes applicable to the operation of the concession. With the exception of the Combined State and New York City Sales Tax on Food, no such applicable taxes, including but not limited to the Commercial Rent Tax, may be deducted from gross receipts or from license fees.

14. All fees and prices must be approved in advance by Parks. Hours and days of operation must also be approved in advance by Parks.

15. The concessionaire must submit a menu and price list with the proposal, both of which must be approved in advance by Parks. Beer and wine may be sold at this facility if a proper license is obtained from the State Liquor Authority (SLA). Beer and wine service must be confined to a defined seating area subject to Parks' approval.

16. Alcoholic beverages may not be served from bottles or cans, but must be decanted into paper or recyclable plastic cups.

17. The concessionaire's staff will be required to wear uniforms approved by Parks.

18. The concessionaire must remove all rubbish generated by this concession. The

concessionaire will be responsible for cleaning the licensed premises and the area within 50 feet of the licensed premises. The concessionaire must provide garbage cans approved by Parks and have these cans emptied on a daily basis by a private carter. The concessionaire must comply with all City, State, and Federal regulations regarding recycling. The concessionaire must keep all signs and structures free of graffiti.

19. The concessionaire will be required to make all necessary repairs during the term of license.
20. The concessionaire will provide for the regular cleaning of all exhaust vents and screens and for regular grease trap and exhaust maintenance.
21. The concessionaire will be responsible for maintaining total security within the facility and the immediate surrounding area.
22. The concessionaire shall provide for regular extermination.
23. No materials may be stored in the boiler room or the electric room.
24. The concessionaire must cooperate with Parks during special events or other unanticipated eventualities.
25. The concessionaire must comply with all City, State and Federal laws relating to access for persons with disabilities.
26. 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.
27. Concessionaires must comply with all terms of their license agreements. Inspectors from Parks will visit the concession site unannounced to inspect operations and determine whether or not the concessionaire is in compliance with the terms of the license. If inspectors find violations, the concessionaire may be fined for each violation. Fines, if they are not paid promptly, may be deducted from the concessionaire's security deposit.

The RFP Process/Proposal Procedure

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 8 ½ x 11" paper, and double sided if possible. 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-01-SB 10/03**
- Alley Pond Park Food Service Facility
- **Return Date: Friday, December 5, 2003 @ 3:00 p.m.**

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 8 ½ x 11" sectionals or reductions to 8 ½ x 11". No telegraphic or facsimile proposals will be accepted. **Please submit six (6) copies of your proposal.**

As part of this submission, you should include completed copies of Parks’ business questionnaires (Business, Business Entity, Principal, and Personal questionnaires) and VENDEX business questionnaires (Business Entity and Principal Questionnaires), which you can obtain by contacting the project manager.

Parks & Recreation will hold an on-site inspection meeting on Tuesday, November 18, 2003 at 11:00 a.m. We will meet in front of the comfort station facility and tour the proposed site. If you are considering responding to this RFP, please make every effort to attend this meeting.

B. Proposal Submission Requirements

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

1. Proposals must contain a fee offer.
2. Proposals must be submitted in sealed envelopes and received in the office of the Assistant Commissioner, Revenue Division, City of New York/Parks & Recreation, The Arsenal, Central Park, 830 Fifth Avenue, Room 407, New York, NY 10021 on **Friday, December 5, 2003 no later than 3:00 p.m.** We recommend hand-delivering proposals to Room 407 to ensure consideration of your proposal. Proposals received after the time and date listed above will be returned to the proposer unopened and will not be considered for award.

3. Proposers are required to submit a proposal deposit in the form of **certified, official/bank, cashier's check or money order** in the amount of **\$10,000.00** with the proposal (payable to NYC Parks & Recreation). The proposal deposit is retained only in the event that the 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.

C. Proposal Submission Guidelines

Each proposal is expected to include the following information.

1. The fee offer should state the highest sum each proposer is prepared to pay as a license fee, expressed as a guaranteed minimum fee for each year of the license term versus a percentage (%) of gross receipts, whichever is greater.
2. Proposers should submit a detailed scope of work and timetable for all design and capital work. This timetable should clearly outline all intended improvements, the projected cost of these improvements, and the anticipated commencement and completion dates of these improvements. Proposers should note Parks weighs capital investment and design heavily in its proposal evaluation process. Please do not exaggerate intended 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 be included as a requirement. In the event the successful proposer performs all capital improvements for less than the minimum required capital expenditure, any excess monies shall be remitted to the City as additional license fees. Therefore, proposers are urged to be realistic or even conservative in the investment and time frame that they offer.
3. Proposers should submit drawings showing the proposed layout and appearance of the facility and the concession site.
4. Proposers should submit a resume or detailed description of their relevant professional qualifications, demonstrating extensive experience in the industry or access to individuals and/or firms with such expertise. 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 proposal.
5. Proposals should include a detailed, well thought out pro forma income and expense projection for each year of operation. This projection should include explanations for all of the assumptions used in its formulation.
6. Proposers should include a detailed operational plan for the facility, including intended uses for the facility, hours of operation, any and all prices and fees, sample menu items, a cleaning and maintenance schedule, and related information. All such operational plans and prices will be subject to Parks' approval.

7. Proposers should submit an estimated number of full-time and seasonal employees, respectively, the positions these employees will fill, and the percentage of these employees that they expect to hire from the local community. Parks will view favorably proposals that will employ members of the local community.
8. Proposers should submit completed copies of Parks' Business and Personal questionnaires and Vendex Business Entity and Principal questionnaires, which may be obtained from the Revenue Office. Please submit three copies of each questionnaire with your proposal.
9. Proposers should include a financial statement listing assets and liabilities, prepared in accordance with standard accounting procedures.
10. Parks & Recreation is charged with improving customer satisfaction with the services provided at facilities on parkland. Therefore, Parks would like proposers 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 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

A selection committee comprised of Parks employees and constituted in accordance with rules set forth by the City's Franchise and Concessions Review Committee will use the following criteria to evaluate proposals:

- Fee Offer
- Capital improvements and designs submitted
- Planned operations, including menu quality, variety, and affordability
- Operating experience in the field, including experience as a City concessionaire
- Financial capability

Parks is not required to select the proposal with the highest fee offer; the concession will be awarded to the proposer whose submission the selection committee judges best overall based on these criteria. Parks' acceptance of a proposal does not imply that every element of that proposal has been accepted. Parks cannot consider any proposal that does not comply with the *Submission Requirements* section of this RFP. Proposals that do not meet these requirements will not be evaluated.

When feasible, employees of Parks & Recreation will visit facilities 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 / 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 before submitting a proposal to verify that they have received any addenda issued. Proposers must acknowledge the receipt of any addenda in their proposal 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 proposal process should inform the Comptroller's Office of Contract Administration, 1 Centre Street, Room 835, New York, NY 10007. Telephone: (212)669-3000.

Adrian Benepe,
Commissioner