



BENJAMIN J. KALLOS
NEW YORK CITY COUNCIL MEMBER
DISTRICT 5, MANHATTAN

EXHIBIT



NYC Parks

Alyssa Cobb Konon
Deputy Commissioner
Planning and Development

T 212.360.3402


E alyssa.cobb@parks.nyc.gov

**City of New York
Parks & Recreation**

The Arsenal
Central Park
New York, NY 10065
www.nyc.gov/parks

Addendum

TO: All Prospective Proposers

FROM: Darryl Milton, Project Manager 

SUBJECT: Addendum to Request for Proposals for the development, operation, and maintenance of a sports and recreational facility at Queensboro Oval, Manhattan (Solicitation # M70-O-2017)

DATE: March 16, 2018

This addendum is being issued to the referenced Request for Proposals (RFP) released by the New York City Department of Parks & Recreation (Parks). This addendum is being issued to clarify information in the RFP in response to a question asked by proposers and to extend the current due date for proposal submissions.

What is the financial history for the current concessionaire at Queensboro Oval?

The following chart lists the total gross receipts, minimum annual fees, percentage of gross receipts, and fees paid to Parks by the current concessionaire for years 2012-2017 of the current operating term. They are based off of a 9-month operating season. The fees paid to Parks are expressed as the higher of the minimum annual fee versus a percentage of gross receipts.

OPERATING YEAR	GROSS RECEIPTS	MINIMUM ANNUAL FEE	PERCENTAGE OF GROSS RECEIPTS	FEES PAID TO PARKS
Sept 2012 -August 2013	\$3,950,588.00	\$2,169,679.00	35%	\$2,169,679.00
Sept 2013 -August 2014	\$4,117,797.00	\$2,228,163.00	35%	\$2,278,163.00
Sept 2014 -August 2015	\$4,128,077.00	\$2,392,071.00	35%	\$2,392,071.00
Sept 2015 -August 2016	\$4,206,136.00	\$2,511,674.00	35%	\$2,511,674.00
Sept 2016 -August 2017	\$4,413,764.00	\$2,637,258.00	35%	\$2,637,258.00

Who owns the perimeter lighting system outside the bubble structure?

Parks owns the perimeter lights that are located in Queensboro Oval, but outside of the bubble.

What is the maximum buildable height?

Queensboro Oval is zoned as parkland. The Parks Commissioner has jurisdiction over the permissible size and height of any structure at this location.



NYC Parks

Does the New York City Department of Transportation need to approve any plans for structures at Queensboro Oval?

The Department of Buildings will approve any plans and issue a building permit, but its approval is contingent upon approval of any other agency having jurisdiction such as Parks, DOT and the Public Design Commission.

What are the approximate dimensions of the current tennis bubble?

The approximate dimensions of the current tennis bubble are 180' x 250'.

What is the approximate square footage of the site?

The approximate square footage of Queensboro Oval is 4,800 square feet.

Is there an existing site plan for Queensboro Oval?

The site plan can be downloaded here:

<https://www.nycgovparks.org/opportunities/business/queensboro-oval>

Parks hereby extends the proposal submission due date from Friday, March 23, 2018 at 3:00 PM to Friday, March 30th, 2018 at 3:00 PM. All other terms and conditions of the RFP are unchanged by this addendum and shall remain in full force and effect.

Proposers should note that any additional information not included in this addendum and/or any further changes to the RFP will be communicated in the form of a written addendum from Parks. An addendum from Parks is the only official form of communication regarding additional or clarifying information pertaining to the RFP. Proposers shall acknowledge the receipt of this addendum and any additional addenda that may be issued by Parks for this solicitation in their proposal submissions. All other terms and conditions of the RFP are unchanged by this addendum and shall remain in full force and effect.

Please contact me with any questions you may have. I can be reached by phone at (212) 360-3490 or via email at darryl.milton@parks.nyc.gov.

Thank you.



Request for Proposals

For the Development, Operation, and Maintenance of a Sports & Recreational Facility

Queensboro Oval
Manhattan

ISSUE DATE: February 16, 2018

SOLICITATION # M70-O-2017

City of New York Parks & Recreation
www.nyc.gov/parks

Bill de Blasio, Mayor
Mitchell J. Silver, FAICP, Commissioner
Alyssa Cobb Konon, Deputy Commissioner for Planning and Development
William Castro, Borough Commissioner for Manhattan Parks



NYC Parks



REQUEST FOR PROPOSALS (RFP)

The City of New York Department of Parks & Recreation (“Parks”) requests proposals for the development, operation, and maintenance of a sports and recreational facility at Queensboro Oval, Manhattan.

THE TERM

Parks is seeking a concessionaire for a one (1) 10 year term. 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.

PROJECT MANAGER

The Project Manager for this concession is Darryl Milton. All RFP questions and/or inquiries should be directed to him. He may be reached at:

Phone: (212) 360-3490

Email: darryl.milton@parks.nyc.gov

Fax: (212) 360-3434



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 (212) 504-4115.

RFP TIMETABLE

The following schedule has been established for this RFP:

- RFP Release Date:** Friday, February 16, 2018
- Recommended Proposer Meeting & Site Tour:** Thursday, March 1, 2018 at 11 AM
- Proposals Due:** Friday, March 23, 2018 at 3 PM
- Interviews (if any):** Week of April 9, 2018



If you have a physical disability and cannot deliver your proposal to the Arsenal, please contact the Project Manager(s) at least 48 hours prior to the deadline and alternate arrangements can be made.

RECOMMENDED PROPOSER MEETING & SITE TOUR

There will be a recommended on-site proposer meeting and site tour on Thursday, March 1, 2018 at 11 AM. We will be meeting at the proposed concession site (Block # 1454 & Lot # 1), which is located at 488 East 60th Street, New York, NY 10022. We will be meeting in front of the existing tennis bubble entrance, near the corner of York Ave. & 59th St. If you are considering responding to this RFP, please make every effort to attend this recommended meeting and site tour.

MEETINGS

The Selection Committee may decide to meet with certain proposers during the week of April 9, 2018. This is the only period of time meetings will be held. Therefore, it is recommended that proposers keep the week of April 9, 2018 available to meet with the Selection Committee.

If there are circumstances beyond a proposer’s or Parks’ control and the meeting cannot take place on the week of April 9, 2018, Parks will schedule a meeting between the proposer and the selection committee on an alternate date.



I. PROJECT BACKGROUND

A. HISTORY AND PLANNED DEVELOPMENT

The Ed Koch Queensboro Bridge, which provides both a ceiling and a name for the Queensboro Oval site, opened in 1909, connecting Manhattan and Queens by way of an intermediary link on Roosevelt Island, (once known as Welfare Island.) The two-leveled steel bridge is one of eight New York City bridges that span the East River. It was named for former New York City Mayor Ed Koch in 2011.

This area was originally inhabited by the Reekgawawanck Indians, who were displaced as early colonists spread northward from lower Manhattan. During the 18th and 19th centuries, extreme poverty characterized the area now known as Sutton Place. A brewery, coal yards, lumberyards, and brickyards stood amidst tenements and shacks. In 1875, Effingham B. Sutton, an entrepreneur who made his fortunes in the California gold rush of 1849, built brownstones between 57th and 58th Streets in hopes of establishing a residential neighborhood. Sutton's real estate venture, however, suffered from the overwhelming industrial presence in the area. The neighborhood was transformed into an exclusive enclave of the wealthy in the 1920s when the Vanderbilt and Morgan families each established residences in the area. Development of the neighborhood continued throughout the 1990s as co-ops, condominiums, and apartment buildings replaced factories and tenements.

The Queensboro Oval site, bounded by York Avenue and 59th and 60th Streets, is built on land that the City of New York initially acquired for use as an alternative bridge approach. It is a City Department of Transportation ("DOT") property managed by Parks, designated by the Board of Aldermen as a playground on January 19, 1909. It has hosted indoor tennis since the early 1970s.

The Queensboro Oval tennis facility has proven to be hugely successful in the past. It is the only Parks' indoor tennis concession on Manhattan Island. Sutton Place is home to numerous high-rise buildings, as well as many high quality restaurants and shops. The facility's location under the Queensboro Bridge makes it easily accessible from Roosevelt Island and Queens, as well as Manhattan.

Parks is seeking a concessionaire to develop, operate, and maintain a sports and recreational facility and provide improvements to the site. There is also a clubhouse at the site, which the concessionaire will be required to operate and maintain. Existing features of the clubhouse include locker rooms with restrooms, a deck, an office, and vending machines.

Queensboro Oval currently has space for up to eight (8) clay surface tennis courts or other similarly sized sports and recreational spaces. Potential uses of the space could include soccer, football, tennis, or other recreational amenities. The concessionaire will be expected to implement improvements to the site that will encourage activation and increased public use. Parks will view favorably proposals that include plans to offer free or low-cost public programs.

II. PROJECT COMPONENTS

A. OVERVIEW

Parks is seeking proposals for the development, operation, and maintenance of a sports and recreational facility at Queensboro Oval, Manhattan. The concessionaire will be responsible for maintaining, staffing and providing security at the facility on a year-round basis.

Operational Plan Proposers should submit a detailed operational plan for the entire Licensed Premises. This plan should include, but not be limited to, intended use of the facility, hours of operation, services to be provided, any plans to install energy efficient appliances that have the Energy Star seal of approval and/or water conserving appliances, and any plans to use "Green Seal" or other environmentally friendly products or devices, staffing plans, safety and security plans, menu, merchandise to be sold, programming plans, mechanisms to measure customer satisfaction, a detailed list of all proposed fees and prices, landscaping/horticulture plans, and maintenance, snow, rubbish removal, and cleaning schedules.



All plans, schedules, services, menu items, merchandise, prices and fees, and hours of operation are subject to Parks' prior, written approval.

Indoor Sports Facility The concessionaire may operate and maintain an indoor sports facility with one (1) inflatable air structure. There is the option to keep the inflatable air structure up year-round, or some other length of time, subject to Parks' approval.

The concessionaire may operate the entire sports facility for a period defined as a Winter Season and a Summer Season. During the Winter Season, the concessionaire may primarily offer fee-based programming. Parks will view favorably proposals that include plans that make the majority of the facility available for free or low-cost public programming during the Summer Season. This breakdown should be determined either by the site's physical space or the available playing hours. (i.e. if there are 8 tennis courts, at least 6 courts should be made available to Parks tennis permit holders for no fee beyond what they pay for an annual permit or single-play ticket; and no more than 2 courts should be made available for the concessionaire's fee-based programs.)

Proposers should indicate the length of time of each season, however, the Summer Season must occur for a minimum of three (3) consecutive months out of the year. Parks will look favorably upon proposals that include Summer Seasons longer than the required three months. Proposers that propose Summer Seasons of only three months should offer an increased level of free or low-cost public programs year-round. Regardless of the length of the Summer Season, the concessionaire should also engage with non-profit organizations such as the City Parks Foundation or other local youth instructional organizations to ensure that their programs are available on site.

If a proposer includes inflatable air structure(s) in the proposal, the concessionaire must provide inflatable air structure(s) *in new or like-new condition* and all ancillary equipment, including but not limited to lighting, heating, inflation equipment, and other support and expendable equipment. The inflatable air structure(s) must be kept clean throughout the term and the concessionaire will be required to store the inflatable air structure(s) offsite when not in use. The inflatable air structure(s) must be sensitive to the environment. Parks will not allow the areas around the premises to be affected by the air structures.

Sports Instructors The concessionaire may provide sports instruction at the Licensed Premises. All sports instructors must have training and experience in sports instruction meeting standards that are satisfactory to Parks. For example, if a tennis concession is proposed, this includes but is not limited to certification by the United States Professional Tennis Association (USPTA) or the United States Professional Tennis Registry (USPTR).

Winter Season Sports Facility Fees Parks will view favorably proposals that include prices and rates that demonstrate variety and affordability. Proposers are encouraged to offer low-cost pricing, including seasonal rates, special rates for walk-ins when space is available, rates for senior citizens/youths, etc. All fees, rates and prices must be approved by Parks in writing in advance.

Current Approved Maximum Winter Tennis Rates at Queensboro Oval

DAYS	TIMES	HOURLY RATE	SEASONAL RATE (38 WEEKS)
Monday-Thursday	6:00am-9:00am	\$135	\$5,130
Monday-Thursday	9:00am-1:00pm	\$145	\$5,130
Monday-Thursday	1:00pm-3:00pm	\$125	\$5,130
Monday-Thursday	3:00pm-4:00pm	\$145	\$5,624
Monday-Thursday	4:00pm-6:00pm	\$150	\$5,554



Monday-Thursday	6:00pm-9:00pm	\$225 doubles \$165 singles	\$8,436 \$6,270
Monday-Thursday	9:00pm-10:00pm	\$160 doubles \$140 singles	\$6,270 \$5,320
Monday-Thursday	10:00pm-11:00pm	\$80	\$4,820
Friday	6:00am-1:00pm	\$135	\$5,130
Friday	1:00pm-2:00pm	\$145	\$5,130
Friday	2:00pm-6:00pm	\$150	\$5,554
Friday	6:00pm-8:00pm	\$155	\$5,890
Friday	8:00pm-10:00pm	\$100	Not Sold
Friday	10:00pm-11:00pm	\$80	Not Sold
Saturday-Sunday	7:00am-8:00am	\$125	\$4,636
Saturday-Sunday	8:00am-9:00am	\$135	\$5,130
Saturday-Sunday	9:00am-2:00pm	\$180	\$6,992
Saturday-Sunday	2:00pm-5:00pm	\$168	\$6,490
Saturday-Sunday	5:00pm-7:00pm	\$130	\$5,130
Saturday-Sunday	7:00pm-9:00pm	\$100	\$4,408
Saturday-Sunday	9:00pm-11:00pm	\$80	\$4,056

Summer Season Sports Facility Fees During the Summer Season, which shall be defined as the time between the end of the Winter Season and the beginning of the next Winter Season, the concessionaire may provide activities to the general public for fees which have been approved by Parks in writing and in advance. Parks will view favorably proposals that include plans that make the majority of the facility available for free or low-cost public programming, during the Summer Season. The concessionaire will be required to make all necessary repairs to the whole space before the end of the Winter Season to ensure that it is in good condition by the beginning of the Summer Season.

Public Programming Parks encourages proposers to incorporate a programming component into their proposals, (e.g., youth outreach programs, discounted/free concession services, special programs/accommodations for senior citizens and persons with disabilities, and scholarships for youth in need).

The concessionaire shall reserve space at the facility for free, Parks-sponsored youth instruction, development programs, or play time, for at least eight (8) hours per week. The reserved hours shall be during either 4:00 p.m. to 7:00 p.m. Mondays through Fridays and/or 8:00 a.m. to 8:00 p.m. on Saturdays and Sundays, or otherwise approved by Parks. Parks will view favorably proposals which include more time per week and/or space dedicated for youth programs than the minimum requirements expressed in this RFP.

Clubhouse The concessionaire must operate and maintain a clubhouse, which must include public restrooms, locker rooms, and showers, as needed, and may include a pro shop, indoor seating, a kitchen, storage space, a serving counter, outdoor seating, a snack bar, or a food service facility.

Pro-Shop The clubhouse may include the sale of merchandise, supplies, and equipment from a pro shop, the size and location of which are subject to Parks' prior written approval. All merchandise to be sold at the pro shop and the proposed prices of those items are subject to Parks' prior written approval.



Pro Shop Sub-Licensing Option Parks will entertain proposals that include the sublicensing of any pro shop operations. Any sublicense agreements are subject to Parks' prior written approval. Proposers seeking to sublicense pro shop operations will be required to report total gross receipts generated from pro shop operations. In the event the proposer's fee offer is made in the form of a guaranteed minimum payment vs. a percentage of gross revenue, total gross receipts from pro shop operations must be included in the gross revenue upon which payment to the City is based.

Merchandise The concessionaire may also sell merchandise; however, proposers should be aware that the City is the trademark owner of various marks and has licensed the use of those trademarks for use on certain designated merchandise. If the successful proposer wants to sell merchandise that uses the City's trademarks, the successful proposer will be required to purchase merchandise from authorized licensees of the City of New York. Parks will not permit the sale of merchandise promoting musicians, entertainers, sports figures, cartoon characters, commercial products or non-park-related events. All prices and merchandise to be sold are subject to Parks' approval.

The knowing sale of counterfeit or unlicensed merchandise at this concession will result in the immediate termination of the license agreement and seizure of the security deposit.

Vending Machines The concessionaire may, with Parks' prior written approval, provide snack and beverage service through vending machines at the Licensed Premises. A maximum of three (3) vending machines may be placed at the Licensed Premises. The concessionaire shall remove any vending machines at the direction of the Commissioner.

Proposers should be aware that the City has developed Citywide Food and Beverage Vending Machines Standards ("Standards"), which are available at

Beverage Vending Standards: <https://www1.nyc.gov/assets/doh/downloads/pdf/cardio/cardio-vending-machines-bev-standards.pdf>

Food Vending Standards: <https://www1.nyc.gov/assets/doh/downloads/pdf/cardio/cardio-vending-machines-standards.pdf> or by contacting the Project Manager (see above). The concessionaire will be required to comply with these Standards.

The Standards may be changed during the term of the License. The concessionaire will be required to comply with any new and/or changed food or beverage standards in the operation of vending machines at all vending locations. Notwithstanding the foregoing, if the implementation of such new or changed Standards will result in a material adverse effect on the concessionaire's cost, upon submission to Parks of documentation satisfactory to Parks demonstrating such effect, the concessionaire and Parks may amend the License as agreed upon between Parks and the concessionaire. If the concessionaire fails to comply with any new and/or changed Standards, as directed by Parks, the concessionaire shall remove any vending machines on the Licensed Premises.

Hours of Operation The concessionaire may only operate the Licensed Premises between the hours of 6 a.m. to midnight, unless otherwise approved by Parks. All hours of operation are subject to Parks' prior written approval.

Staff The concessionaire will be required to have a sufficient number of staff available at the Licensed Premises during regular operating hours to ensure proper operation of the concession. Parks reserves the right to require that all staff wear uniforms that have been approved in writing by Parks.

Storage Parks makes no representations that there is adequate storage space at the Licensed Premises. The concessionaire shall be responsible for, at its sole cost and expense, obtaining any additional storage space required for the operation of the concession. The concessionaire shall not store any equipment or supplies at the Licensed Premises without the prior, written approval of Parks. No item shall be placed upon any public space, including the ground adjacent to the Licensed Premises without Parks' prior, written approval. The concessionaire will be required to store all outdoor equipment on a nightly basis and anytime the concession is closed.



Maintenance The concessionaire will be required, at its sole cost and expense (or through arrangements with third parties), to renovate, operate, and maintain the Licensed Premises in good and safe condition and in accordance with industry standards. This includes, but is not limited to, the maintenance and repair of the entire Licensed Premises, all interior and exterior structures, building systems, utility systems and connections, sewer systems and connections, equipment, lighting, sidewalks, paved areas, vaults, gutters, curbs, and fixtures. In addition, all signs and structures on the Licensed Premises must be kept in good condition and free of graffiti. The erecting of any ancillary structures at the Licensed Premises shall be subject to Parks' prior written approval.

Horticulture & Landscaping The concessionaire will be required to maintain and improve the landscaping at the Licensed Premises. This shall include, but is not limited to, performing any seeding, trimming, pruning, planting, fertilization, terrain shaping, and soil improvements. In addition, Parks requires that any trees on the Licensed Premises be pruned as needed. The concessionaire will be required to submit detailed plans to Parks of all horticultural and landscaping work to be performed. All work to be performed at the Licensed Premises is subject to Parks' prior written approval. In addition, the concessionaire will be required to obtain all necessary permits, approvals, and authorizations from all City, State, and Federal agencies having jurisdiction over the Licensed Premises before any work is performed, and such work shall be of a quality which meets Parks' standards.

Snow, Rubbish Removal & Recycling The concessionaire will be responsible for, at its sole cost and expense, clean-up and removal of all snow, waste, garbage, refuse, rubbish and litter from the Licensed Premises and the area within fifty (50) feet of the Licensed Premises. The concessionaire will be required to provide adequate and easily accessible waste and recycling receptacles, approved by Parks, and have these receptacles emptied on a daily basis and removed by a private carter. The location and placement of all waste and recycling receptacles is subject to Parks' prior written approval. The concessionaire will be required to comply with all City, State, and Federal regulations regarding recycling. In addition, the concessionaire will be required to demonstrate to Parks' satisfaction, through a detailed maintenance plan, that they will keep and maintain the concession site in excellent condition throughout the license term.

Signage and Advertising Concessionaire will be prohibited from displaying, placing or permitting the display or placement of advertisements in the Licensed Premises, without the prior written approval of Parks. The display or placement of tobacco advertising shall not be permitted. The display or placement of advertising of alcoholic beverages shall not be permitted but concessionaire may display signage approved by Parks setting forth its offerings of alcoholic beverages. The following standards will apply to all allowed advertising: Any type of advertising which is false or misleading, which promotes unlawful or illegal goods, services or activities, or which is otherwise unlawful, including but not limited to advertising that constitutes the public display of offensive sexual material in violation of Penal Law Section 245.11, shall be prohibited. Advertising of product brands is prohibited without Parks' prior written approval. Any and all signage is subject to Parks' prior written approval. The design and placement of all signage, including signage which includes concessionaire's name, trade name(s) and/or logos, is subject to Parks' prior written approval. Concessionaire will be prohibited from placing advertisements on the exterior of its licensed premises. Any prohibited material displayed or placed shall be immediately removed by the concessionaire upon notice from Parks at concessionaire's sole cost and expense.

Internal Controls Throughout the License term, the concessionaire will be required to maintain a revenue control system to ensure the accurate and complete recording of all revenues, in a form and manner acceptable to the City. This revenue control system must maintain detailed sales information from each sales transaction. Specifically, sales information must be recorded electronically, via a computerized point-of-sale system, and must include, but is not limited to, details on each sales transaction, the item(s) sold, time, date of sale and price of the item sold. In addition, each of concessionaire's Special Events must be documented via signed sequentially pre-numbered contracts that capture event information, including the time and date of the event, the number of attendees and required payment. The concessionaire must also establish a dedicated bank account for all deposits related to this concession's revenue. All accounting and internal control related records shall be maintained for a minimum of ten (10) years from the date of creation of the record.

Naming of the Concession Proposers should be aware that Parks may require that the City own the portion of any new name selected by the successful proposer for the Licensed Premises that indicates Parks property or a preexisting facility name. The City will not own any portion of a new name that consists of the name, portrait or signature of a living or deceased individual or a restaurant identifier that is not otherwise associated with Parks' property. Parks reserves the right to approve of any name selected by the concessionaire for the concession.



Utilities Parks makes no representations regarding the adequacy of utilities currently in place at the Licensed Premises. The concessionaire will be required to connect to and/or upgrade any existing utility service or create a new utility system, and obtain the appropriate permits and approvals. This includes establishing a dedicated meter and/or submeter that captures electricity usage on the licensed premises and an account with Con Edison (or other relevant providers) as appropriate. The concessionaire will be required to pay for any and all utility costs connected with the operation of this concession during the License term. These utility costs include, but are not limited to, paying all water and sewer charges that the New York City Department of Environmental Protection (“DEP”) assesses for water usage. The concessionaire will be prohibited from tapping into utilities used, operated or owned by the City.

Drought & Water Conservation Issues The concessionaire will be required to adhere to all DEP directives and restrictions regarding drought and water conservation issues during the License term. Proposals should include any plans to employ methods and equipment which will conserve water, including any plans to upgrade or test the performance of irrigation equipment and the pump station in order to maximize efficiency, eliminate uncontrolled releases of water from water retention structures, regularly check for and remedy leaks in a timely fashion, eliminate non-target watering, to install part-circle irrigation heads where possible, recycle gray water and runoff, and schedule watering around peak evaporation times.

Environmental Considerations As a protector and provider of green spaces, Parks is deeply committed to respecting the environment. Therefore, all proposed operational plans should include a detailed description of environmentally friendly practices planned for the Licensed Premises. Practices may include, but are not limited to, the installation of Energy Star compliant appliances, the use of energy efficient, non-polluting, low noise generators, the employment of energy efficient and water conservation measures, the use of low toxicity chemicals, preservation of natural areas, and the use of environmentally friendly products.

Parks views favorably the installation of Energy Star approved appliances and equipment, such as vending machines and commercial refrigerators, at the Licensed Premises. Proposers should state whether they intend to install products that have the Energy Star seal of approval. Energy Star products and environmentally friendly practices can be found at: <http://www.energystar.gov>.

Parks also views favorably proposals that include plans to use “Green Seal” eco-friendly products such as soaps, cleaners, light bulbs, paper towels, toilet paper and paint. A list of “Green Seal” certified products can be found at <http://www.greenseal.org/FindGreenSealProductsAndServices.aspx>, and a list of environmentally-friendly products/materials is also available at: <http://www1.nyc.gov/site/mocs/resources/environmental-preferable-purchasing.page>. Proposers should state whether they intend to utilize or install “Green Seal” or other environmentally friendly products, devices, or methods for cleaning and operational purposes. Proposers should also state in their proposals whether they intend to utilize or install energy-efficient LED products.

Parks encourages the successful proposer to use chlorine free, biodegradable products such as paper towels, napkins, utensils and plates if the proposer intends to utilize any disposable products for all food service at the Licensed Premises. Additionally, Parks will encourage the use of environmentally friendly cleaners and the selling of sustainable food products. Proposers can consult the web site of the Green Restaurant Association (“GRA”) to locate GRA-endorsed products. Please visit <http://www.dinegreen.com> for more information. In addition to the use of environmentally friendly products, Parks will encourage the successful proposer to train staff on environmentally friendly food service practices and to utilize a composting service to dispose of food waste.

Special Events Subject to prior written approval from Parks, the concessionaire may conduct special events or programs at the Licensed Premises. The concessionaire shall submit to Parks for approval all plans for any events or programs at the Licensed Premises, and in no event shall the Licensed Premises be closed to conduct private activities during public hours of use except when such activities are specifically approved or sponsored by Parks and such a closure has been announced to the public at least two weeks in advance of such activities or events. Concessionaire must document each Special Event via signed sequentially pre-numbered contracts that capture event information, including the time and date of the event, the number of attendees and required payment. All revenue generated through such special events must be reported to Parks as Gross Receipts.



Parks, acting on behalf of the City of New York, reserves the right to host a number of annual events at the Licensed Premises, including benefits and other non-profit or public events. The dates of such events shall be mutually agreed upon by both parties and shall be reserved in writing not less than one month in advance.

Security The concessionaire must submit a security plan for Parks approval. Pursuant to a plan approved in writing by Parks, the concessionaire, at its sole cost and expense, shall be responsible for all security at the Licensed Premises year round and shall provide a 24 hour-a-day security system at the Licensed Premises. The concessionaire will be required to secure the Licensed Premises and any other equipment every evening.

Safety Since safety is of the utmost concern, proposers with prior experience in operating this type of facility or similar facilities should submit their personal and/or company safety record. Each proposal should include a detailed outline of maintenance schedules and safety precautions required for the operation of the Licensed Premises as well as any applicable staff qualifications and certifications. Proposers should also provide descriptions of the locations and types of facilities they have operated, including a list of references. The concessionaire will be required to comply with all national safety guidelines and Federal, State and City laws, rules and regulations related to the development, operation and maintenance of the Licensed Premises.

Community Relations Parks will view favorably proposals that demonstrate an awareness of the role of the concession as an integral part of the surrounding community. Parks will view favorably proposals that show a commitment to cooperate with and support park administrators, park users, and the community.

Parks will view favorably proposals that demonstrate how the concessionaire will work with Parks staff to address maintenance issues, and work with area residents to address concerns, such as debris from the overhead bridge.

Customer Service Parks expects the concessionaire to create and maintain a high-quality amenity for the public. Parks encourages proposers to implement customer service mechanisms that will enhance and maintain the satisfaction of patrons. These mechanisms should be outlined in each proposal.

Identification & Address The successful proposer 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 execute the license agreement. In addition, all proposers will be expected to provide Parks with at least two (2) telephone numbers for contact purposes. The successful proposer shall notify the Parks Revenue office immediately of any changes to the successful proposer's address or phone number.

Inspections & Liquidated Damages Inspectors from Parks will visit the Licensed Premises unannounced to inspect operations and ensure proper maintenance of the Licensed Premises. Based on their inspections, should the concessionaire fail to provide the cleaning, maintenance, and operational services required by his or her License, Parks shall notify the concessionaire in writing, and the concessionaire shall be required to correct such shortcomings within of the time frame set forth in such notice. If the concessionaire fails to cure the violation within the time frame set forth in the notice, Parks may, at its option, in addition to any other remedies available to it, require the concessionaire to pay to Parks as liquidated damages Five Hundred (\$500.00) Dollars per day from the date of the notice, with respect to each violation of the License, until the shortcomings have been corrected. Liquidated damages, if not paid promptly, may be deducted from the concessionaire's security deposit.

Procedure for Appeals of Assessments To Concession License Violations If an assessment is received for one of the above violations, there is a process by which the assessments may be appealed if the concessionaire feels that the assessment has been assessed in error. The procedure is outlined below:

1. Filing an Appeal

- A. If the concessionaire wishes to appeal the assessment, a notice of appeal must be delivered to Parks within ten (10) days along with a statement of reasons why he or she believes the assessment was erroneous. The statement of reasons must be notarized. Any evidence supporting the concessionaire's appeal (such as photographs, documents, witness statements, etc.) should also be included.



- B. If no appeal is received within 10 days of the date the assessment is mailed, the assessment shall be considered final and charged to the concessionaire's account.

2. Adjudication of Appeal

- A. The appeal shall be sent to the Director of Operations Management & Planning, whose office is located at the Arsenal, 830 Fifth Avenue, New York, NY 10065. The Commissioner has designated the Director of Operations Management & Planning to decide on the merits of these appeals. The decision of the Director of Operations Management & Planning shall constitute the final decision of Parks.
- B. The Director of Operations Management & Planning is authorized to investigate the merits of the appeal, but is not required to hold a hearing or to speak to the concessionaire in person.

Access to Licensed Premises The concessionaire will be required to provide Parks with full and free access to the Licensed Premises to ensure Parks' satisfaction with the concessionaire's compliance with the terms of the License Agreement. The concessionaire will be required to provide DOT with full and free access to the Licensed Premises for work related to the Ed Koch Queensboro Bridge.

No Exclusive Vending Rights Proposers should note that the license agreement will not grant the concessionaire exclusive rights to sell in the within Licensed Premises. Moreover, Parks may grant other permits to vendors to sell the same or similar items authorized under this license agreement within the same Licensed Premises. Parks does not guarantee that illegal vendors, persons unauthorized by Parks or disabled veteran vendors will not compete with the successful proposer or operate near the Licensed Premises. Parks encourages concessionaires to report illegal vendors by calling 311.

B. CAPITAL IMPROVEMENTS

Parks anticipates a substantial investment from the concessionaire. The concessionaire will be responsible for all costs associated with the development, operation, and maintenance of the Licensed Premises. Parks will view favorably proposals that include "green building" design elements and encourages the use of environmentally friendly products for all repairs and capital improvements. A list of products/materials relating to environmentally-friendly practices in City construction projects is available in the *New York City EPP Minimum Standards for Construction Products*. A hard copy of the standards may be obtained from the agency or on the web at:

<http://www1.nyc.gov/site/mocs/resources/environmental-preferable-purchasing.page>

Improvements & Repairs The concessionaire will be expected to perform the following improvements and repairs to the Licensed Premises:

- Renovate existing restrooms, offices & locker rooms in Parks structure
- Repair or replace roof as needed
- Upgrade electric as needed
- Restore building façade including window frames, windows and masonry work
- Restore or replace existing air handling equipment as needed
- If inflatable air structure, maintain and repair as needed the existing bubble grade beam

Americans with Disabilities Act ("ADA") Compliance

The concessionaire shall be required to comply with the ADA in the performance of the license agreement, as applicable. The concessionaire shall comply with all City, State, and Federal requirements to provide safe and accessible recreational opportunities for everyone, including persons with disabilities. The concessionaire is encouraged to exceed accessibility requirements whenever possible, and not simply provide the minimum level required.

Permits, Licenses & Approvals

If applicable the concessionaire will be responsible for obtaining all necessary permits, licenses and approvals from all City, State and Federal Agencies having jurisdiction for the operation, maintenance and performance of



all capital improvements at the Licensed Premises including but not limited to DOB construction permits, DOB Public Assembly Permits, DOB Certificate of Occupancy or Letter of No Objection, approval from the Public Design Commission, DOHMH permits, fire department certificates, DEP permits, New York State Department of Environmental Conservation (NYS DEC) approvals, New York State Historic Preservation Office approvals, and New York City Landmarks Preservation Commission approvals. Additionally, all designs and construction to be performed on the structure shall be prepared by licensed architects or engineers and will require prior written approval from Parks. The concessionaire will be required to provide Parks with all plans and specifications upon completion of the construction documents.

Evaluation of Capital Investment & Design Please note that Parks will weigh capital investment and design in its evaluation process (for more information, please see the “Proposal Content Guidelines” section). 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 duration of each improvement. The timetable may use “phases” as a schedule. Also, please indicate whether you plan to account for environmental considerations in your capital improvement and maintenance plan.

In compiling your capital submission, please be aware that the cost estimates provided in the successful proposal will become a minimum required capital expenditure in the License Agreement and the time frame proposed will become a mandatory capital schedule. In the event the concessionaire performs all capital improvements for less than the minimum required capital expenditure, any excess monies will be remitted to the City as additional License fees. If the concessionaire by the expiration or sooner termination of the License Agreement fails to expend the minimum capital expenditure required up to the date of expiration or sooner termination, the City may also require any unexpended monies to be remitted to the City as additional License fees. Therefore, please be realistic or even conservative in the investment and time frame you offer. All capital improvements and fixed equipment applied toward the proposer’s capital investment become the property of Parks upon installation, at Parks’ option. The concessionaire will also be required to supply all additional equipment and materials necessary for the successful operation of the concession. Proposers should differentiate between equipment to be applied towards the minimum required capital expenditure versus personal expendable items in their proposals. Personal expendable items should not be considered capital. Capital Improvements shall not include routine maintenance and repairs required to be performed in the normal course of management and operation of the concession. For example, routine painting and repair of minor wear and tear is considered routine maintenance and would not be accepted as capital investment. Parks reserves the right to determine whether certain repairs and material purchases can be accepted as capital improvements. The concessionaire shall pay for all improvements. As a Parks concessionaire, you may request a sales tax waiver for all sales tax costs associated with the capital expenditures on your Parks concession. Therefore, no sales tax expenses will be accepted as part of capital submissions. Personal expendable items not applied toward the required capital expenditure will remain the property of the concessionaire. These personal expendable items should be listed separately in your proposal under the category of “Additional Investment.”

Certificate of Occupancy The concessionaire will be required to operate and occupy the Licensed Premises in accordance with all applicable law and shall, at its sole cost and expense, obtain all licenses and permits that may be required to operate the Licensed Premises in accordance with applicable law, including any necessary Certificate(s) of Occupancy. Concessionaire shall at all times operate the Licensed Premises in accordance with the provisions of any required licenses or permits. In the event that, at the commencement date of the license agreement, the concessionaire does not have a Certificate of Occupancy because one is not legally required, then the concessionaire shall obtain a “Letter of No Objection” from the DOB. Furthermore, in the event that, at the commencement date of the license agreement, or at any time during the term of the license agreement, the concessionaire does not have a Certificate of Occupancy, where required, and does not have a “Letter of No Objection”, the concessionaire may conduct its operations in temporary structures that have been approved by Parks. The concessionaire shall obtain any necessary licenses and permits for such temporary structures before the commencement of operations. However, if in such situation, the concessionaire nonetheless chooses not to conduct such operations in temporary structures, then such operations shall not take place unless and until the concessionaire has obtained the necessary Certificate(s) of Occupancy, if required, or “Letter(s) of No Objection.” Nothing in this section shall limit the concessionaire’s obligation to pay the License Fees. Concessionaire is required to obtain a Temporary Certificate of Occupancy for the installation and operation of temporary structures. A Temporary Certificate of Occupancy shall be obtained for each season of the operating year.



Construction Security Deposit & Payment Bond At Parks' discretion, the concessionaire may be required to provide a construction security deposit, in an amount and format approved by Parks, to ensure that all capital work is completed. If required, this security deposit, preferably in the form of a letter of credit, must be in place before any capital work commences.

To guarantee prompt payment of moneys due to a contractor or his or her subcontractors and to all persons furnishing labor and materials to the contractor or his or her subcontractors in the prosecution of any Capital Improvement Project with an estimated cost exceeding two hundred fifty thousand dollars (\$250,000), Licensee shall post a payment bond or other form of undertaking approved by Parks in the amount of one hundred percent (100%) of the cost of such Capital Improvement Project before commencing such work. Such bond or other undertaking shall be in a form acceptable to Parks. For purposes of this provision, a "Capital Improvement Project" shall mean a set of Capital Improvements that are reasonably related in time and purpose as determined by Parks in its sole discretion.

Available Plans Any available plans may be obtained from Parks' Document Services/Map File Center at the Olmsted Center in Flushing Meadows-Corona Park, Queens. To make an appointment, please call Rebekah Burgess at (718) 760-6745. There is a nominal fee for reproductions. Parks makes no representations as to the availability, accuracy or completeness of these documents.

C. DESIGN REVIEW FEE

For Parks' Design review of the concessionaire's design documents, Parks will charge the concessionaire a fee ("Design Review Fee") which will be a percentage of the total cost of all capital improvements. "Total Cost" of such improvements will be the total amount stipulated in the license agreement. The fee is 1% of the total cost. Upon signing the License Agreement, the successful proposer will pay the Design Review Fee.

D. ADDITIONAL REQUIREMENTS DURING THE TERM OF LICENSE

1. The concessionaire will be required to develop, operate, and maintain the Licensed Premises as a concession for the use and enjoyment of the general public.
2. The concessionaire will be required to submit a security deposit of 25% of the highest year's guaranteed minimum license fee, which will be required for the duration of the term of the license. This security deposit, which may be in the form of an interest bearing account or other format approved by Parks, will be due upon signing.
3. The concessionaire will be required to carry Commercial General Liability insurance in at least \$2 million per occurrence, \$5 million aggregate, and statutory limits of Worker's Compensation, Employer's Liability and Disability Benefits Insurance. The Commercial General Liability insurance will be required to name the City of New York, including its officials and employees, as an additional insured with coverage at least as broad as Insurance Services Office (ISO) Form GC 20 26, and the City's limits will be no lower than concessionaire's. If vehicles are to be used in connection with the concession, the concessionaire shall carry Commercial Automobile Liability insurance in the amount of \$1,000,000 for each accident combined single limit for liability arising out of ownership, maintenance or use of any owned, non-owned, or hired vehicles. The concessionaire shall maintain all-risk property insurance covering all buildings or structures on the property at a value determined by Parks. (a) In the event the concessionaire shall serve alcohol on the Licensed Premises, the Licensee shall carry or cause to be carried liquor law liability insurance in an amount not less than Three Million Dollars (\$3,000,000) per occurrence, and name the City as additional insured. Such insurance shall be effective prior to the commencement of any such service of alcohol and continue throughout such operations. (b) In the event the Licensee shall permit sublicensees or others to serve alcohol on the Licensed Premises, the Licensee shall carry or cause each such person to carry liquor law liability insurance in an amount not less than Three Million Dollars (\$3,000,000) per occurrence, and name the City as additional insured. Such insurance shall be effective prior to the commencement of any service of alcohol by such person on the Licensed Premises and continue throughout such operations. Proposers are on notice that the City may require other types of insurance and/or higher liability limits and other terms if, in the opinion of the Commissioner, the proposed concession warrants it.



6. The concessionaire will be required to submit monthly statements of gross receipts from all categories of income in a format approved by Parks. Within sixty (60) days following 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. The concessionaire will be required to maintain a revenue control system to ensure the accurate and complete recording of all revenues, as described under "Internal Controls" in Section II(A) above.
7. The concessionaire will be required to pay all taxes applicable to the operation of the concession. Gross receipts shall exclude the amount of any federal, state, or city sales taxes which are paid by the concessionaire.
8. The concessionaire will be responsible for regular pest control inspections and extermination, as needed. To the extent that the concessionaire applies pesticides to any property owned or leased by the City, concessionaire or any subcontractor hired by concessionaire shall comply with Chapter 12 of Title 17 of the New York City Administrative Code and limit the environmental impact of its pesticide use.
9. Prior to the commencement of any construction, the concessionaire shall have an asbestos inspection performed on the existing structures at the Licensed Premises to the extent required by the Department of Buildings or other applicable authority. In the event that asbestos removal is deemed necessary, the concessionaire will remove the asbestos according to City, State and Federal regulations.
10. Parks makes every effort to preserve and protect trees in the public right-of-way until their health or condition warrants removal. Concessionaire is prohibited from cutting down, pruning or removing any trees on the Licensed Premises without prior written approval from Parks. Concessionaire will report dead and diseased trees to Parks and upon Parks' request they will remove them. Any attachments to the trees, such as lights, will not be permitted.
11. The concessionaire will be required to cooperate with Parks during special and other unanticipated events.
12. Smoking of any tobacco product or electronic cigarette is strictly prohibited at the Licensed Premises. Concessionaire shall adhere to and enforce this policy.
13. Pursuant to Parks' policy citywide, the concessionaire will be prohibited from selling any beverages in glass bottles. All beverages will be required to be in non-glass, shatter-proof containers. Also, the use of polystyrene packaging or food containers will be prohibited in the operation of the concession.
14. The selling and/or advertisement of cigarettes, electronic cigarettes cigars, or any other tobacco products is strictly prohibited. The concessionaire will be required to adhere to and enforce this policy.
15. The concessionaire will be required to retain a professional licensed engineer or registered architect approved by Parks 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 are required to submit the Engineer or Architect's qualifications to Parks for prior written approval.
16. For any vehicle fuel dispensing tanks or underground heating oil storage tanks over 1,100 gallon capacity, the concessionaire will be required to maintain up-to-date Petroleum Bulk Storage ("PBS") registrations with NYS DECS and register such tanks with the DEP. The concessionaire will assume all registration and update costs. The concessionaire must keep a copy of the PBS Certificate on site and provide copies to Parks' 5-Boro Office on Randall's Island, New York. The concessionaire will be required to perform or have performed a tightness test conducted at least once every five years, to comply with Parks monitoring leak detection checklists for the tank(s) and all other legal requirements. Any changes, removals or additions of tanks must be pre-approved by Parks. A useful web site for compliance issues is: <http://www.dec.ny.gov/chemical/287.html>.



17. The concessionaire will be required to indemnify the City for claims arising out of the concessionaire's operations under the License Agreement, pursuant to a provision to be included in the License Agreement.
18. The concessionaire must obtain the prior written approval of Parks prior to entering into any marketing or sponsorship agreement. In the event that the concessionaire breaches this provision, the concessionaire shall take any action that the City may deem necessary to protect the City's interests.
19. The Earned Sick Time Act, also known as the Paid Sick Leave Law ("PSLL"), requires covered employees who annually perform more than 80 hours of work in New York City to be provided with paid sick time. Concessionaires of the City of New York [or of other governmental entities] may be required to provide sick time pursuant to the PSLL. Exhibit A the Paid Sick Leave Law Rider, will be included in any concession agreement awarded from this RFP and will incorporate the PSLL as a material term of such agreement. Please read Exhibit A carefully.

III. THE RFP PROCESS/PROPOSAL PROCEDURE

A. PROPOSAL SUBMISSION INSTRUCTIONS

The proposal should be typed on both sides of 8 1/2" X 11" paper. Pages should be paginated. The City of New York requests that all proposals be submitted on paper with no less than 30% post-consumer material content, i.e., the minimum recovered fiber content level for reprographic papers recommended by the United States Environmental Protection Agency (for any changes to that standard please consult: <https://www.epa.gov/smm/comprehensive-procurement-guidelines-paper-and-paper-products>). The proposer should state whether its response is printed on recycled paper containing the minimum percentage of recovered fiber content as requested by the City in these instructions. Failure to comply with any of the instructions set forth in this paragraph will not be considered non-responsive.

No proposals should be submitted in plastic sleeves or spiral binders. Illustrations may be included. All plans are subject to Parks' prior written approval. Oversized drawings may be submitted, but must be accompanied by 8 1/2" x 11" sectionals or reductions to 8 1/2" x 11". No telegraphic or facsimile proposals will be accepted. The proposal will be evaluated on the basis of its content, not length.

Please submit four (4) copies of your proposal (including four copies of all required attachments). The following information should be printed on the outside of the envelope:

Proposer's Name and Address
Solicitation #: M70-O-2017
Proposal Due Date: **Friday, March 23, 2018 at 3 PM**

B. PROPOSAL SUBMISSION REQUIREMENTS

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

1. All proposers must submit a proposal that includes a fee offer for each year of the License term. At Parks' request, proposer shall submit documentation, satisfactory to Parks, demonstrating that it has the financial capability to pay the fees set forth in its proposal. Failure to provide such documentation will result in a determination of non-responsiveness.
2. All proposers are required to submit as a proposal deposit a certified bank check, official bank check, money order, or cashier's check in the amount of \$10,000 with the proposal (payable to NYC Parks & Recreation). Personal or business checks will not be accepted. In the event of the failure of a successful proposer to execute a concession agreement in accordance with the terms of its proposal, the deposit shall be retained by the City unless the proposal has been permitted to be withdrawn. Proposal deposits



will be returned to unsuccessful proposers after the concession agreement is signed with the successful proposer.

3. All proposals must be submitted in a sealed envelope and received in the office of the Revenue Division, City of New York Parks, The Arsenal-Central Park, 830 Fifth Avenue, Room 407, New York, New York 10065.
4. All proposals must be received by **Friday, March 23, 2018 at 3 PM**. Hand delivery to Room 407 before the deadline is recommended to ensure consideration of your proposals. **Proposals and modifications received after the time and date listed above will be considered late, will be returned to the proposer unopened and will not be considered for award, except as provided for in Section 1-13(j)(2)(i) of the Concession Rules.**
5. Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City is required to establish a computerized database containing the names of any "person" that has "business dealings with the city" as such terms are defined in the Local Law. In order for the City to obtain necessary information to establish the required database, proposers responding to this solicitation are required to complete the attached Doing Business Data Form and return it with this proposal and should do so in a separate envelope. (If the responding proposer is a proposed joint venture, the entities that comprise the proposed joint venture must each complete a Data Form.) If the City determines that a proposer has failed to submit a Data Form or has submitted a Data Form that is not complete, the proposer will be notified by the agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return a complete Data Form to the agency. Failure to do so will result in a determination that the proposal is non-responsive. Receipt of notification is defined as the day notice is e-mailed or faxed (if the proposer has provided an e-mail address or fax number), or no later than five (5) days from the date of mailing or upon delivery, if delivered.

New for 2018: Organizations which hold 10% or more ownership of the entity must now be reported. Beginning in January 2018, an entity must submit a DBDF that certifies whether one or more organizations own or control 10% or more of the entity. Until such a DBDF has been received by Doing Business Accountability, a DBDF submitted with a filing status of No Change will not be accepted. To determine if Doing Business Accountability has received such a certification from your entity, contact doingbusiness@mocs.nyc.gov or at 212-788-8104.

Doing Business Data Form with Agency Name and Transaction ID (i.e. PIN, Contract number, PO number, etc.) filled in, Proposal box checked and Transaction Type Indicated.

C. PROPOSAL CONTENT GUIDELINES

Each proposal is expected to include the following:

1. Planned Operations
 - Proposers should submit a detailed operational plan for the entire Licensed Premises, including but not limited to intended use of the facility hours of operation, services to be provided, menu items and merchandise to be sold, whether ethnically diverse and/or healthy food choices will be provided, a detailed list of all proposed prices and rates, landscaping plans, maintenance, rubbish removal, and cleaning schedules, safety and security plans, any plans to install energy efficient appliances or appliances that have the Energy Star seal of approval and/or water conserving appliances, and any plans to use "Green Seal" or other environmentally friendly products or devices. All plans, schedules, services, menu items, merchandise, prices and rates, and hours of operation are subject to Parks' prior written approval.



- Proposers should submit an estimated number of full-time and seasonal employees and the positions these employees will fill.
 - Parks 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 measure customer satisfaction with the services offered by 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.
 - Proposers should include a comprehensive pro-forma income and expense projection for each year of operation. This pro-forma projection should include explanations for all the assumptions used in its formulation.
 - Parks will view favorably proposals that include plans to offer free or low-cost public programs.
 - Parks will view favorably proposals that include plans that make the majority of the facility available for free or low-cost public programming during the Summer Season.
 - Parks will view favorably proposals that include Summer Seasons longer than the required three months.
 - Parks will view favorably proposals that include prices and rates that demonstrate variety and affordability.
 - Parks will view favorably proposals which include more time per week and/or space dedicated for youth programs than the minimum requirements expressed in this RFP.
 - Parks will view favorably the installation of Energy Star approved appliances and equipment, such as vending machines and commercial refrigerators, at the Licensed Premises. Parks will also view favorably proposals that include plans to use “Green Seal” eco-friendly products such as soaps, cleaners, light bulbs, paper towels, toilet paper and paint.
 - Parks will view favorably proposals that demonstrate an awareness of the role of the concession as an integral part of the surrounding community. Parks will view favorably proposals that show a commitment to cooperate with and support park administrators, park users, and the community.
 - Parks will view favorably proposals that demonstrate how the concessionaire will work with Parks staff to address maintenance issues, and work with area residents to address concerns, such as debris from the overhead bridge.
2. Fee Offer
- The fee offer should state the highest sum each proposer is prepared to pay as a license fee, expressed as guaranteed annual minimum fee versus a percentage of gross receipts, whichever is greater. The City urges that there be an escalation of at least five percent (5%) per year (compounded annually) in the guaranteed minimum fee over the license term.
3. Operating Experience
- Proposers should submit a resume or detailed description of the proposer's professional qualifications, demonstrating extensive experience in the industry, including any work with City agencies, and/or access to individuals and/or firms with such expertise. Include the names and



addresses of all corporate officers of the entity submitting the proposal. If any principal owner and/or officer of the submitting entity is currently or has been a principal officer of another entity or entities within the last five (5) years, that entity or entities (including applicable tax identification numbers) should be identified as well.

- Proposers should attach a list of at least three (3) recent relevant references, with whom the proposer has previously worked and/or who can describe such matters as the proposer's financial, operational and construction capability. One of the three references should be from a financial institution that has extended credit to the proposer. Include the name of the reference entity, a description of the nature of the listed reference's experience with the proposer and the name, title, address, and telephone number of a contact person at the reference entity.
4. Proposed Capital Investment, Improvements and Design
- Proposers should submit a detailed timetable describing all design, improvements and capital work. This timetable should clearly outline all intended improvements and investments, the projected cost of these improvements, and the anticipated duration of each improvement. The timetable may use "phases" as a schedule. An approximate time frame for each phase should be included.
 - Proposers should submit a plan describing the extent to which proposed capital improvements and investments will take into account environmental considerations.
 - Proposers should submit designs of the exterior and interior of the Licensed Premises, including dimensions, photographs and renderings. All final designs of the successful proposer must be approved by Parks and other pertinent agencies in writing before construction can commence.
 - Parks will view favorably proposals that include "green building" design elements and encourages the use of environmentally friendly products for all repairs and capital improvements.
5. Financial Capability
- Proposers should include a financial statement or statements prepared in accordance with standard accounting procedures. Financial statements should include, but are not limited to, annual income and net worth (assets and liabilities), including a breakdown of liquid and non-liquid assets. Proposers should include supporting documentation of their financial worth, including but not limited to Certified Financial Statements, Balance Sheets and Income Statements and tax returns from the past three (3) years (corporate and/or personal).
 - Proposers should identify the intended source of all funds proposed to be invested in the Licensed Premises.

PLEASE NOTE: All proposals should indicate how the proposer became aware of this concession opportunity (e.g. newspaper ad; mailing list, Parks website, etc).

IV. EVALUATION AND SELECTION PROCEDURES

Proposals will be evaluated by a selection committee composed of a minimum of three (3) Parks employees or Parks and other City employees and, possibly, independent (non-government employed) professionals with relevant expertise, in accordance with procedures established by the Franchise and Concession Review Committee, based on the criteria listed below. The concession will be awarded to the proposer whose submission the selection committee judges best overall based on these criteria.

A. PROPOSAL EVALUATION CRITERIA

In evaluating proposals, the Selection Committee will use the following criteria:

- Planned operations: see Section III (C)(1) (25%)
- Fee offer: see Section III (C)(2) (20%)
- Operating experience: see Section III (C)(3) (20%)



Proposed capital investment, improvement and designs submitted: see Section III (C)(4) (20%)
Financial capability: see Section III (C)(5) (15%)

B. EVALUATION PROCEDURES

Parks 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 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 will visit facilities operated by proposers.

V. OTHER GENERAL RFP REQUIREMENTS AND CONDITIONS

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

Proposers are advised that Parks has the option of selecting the proposer without conducting discussions or negotiations. Therefore, proposers should submit their best proposals initially, since discussions or negotiations may not take place.

Proposers are also advised that the award of this concession is subject to applicable provisions of federal, State, and local laws and executive orders requiring affirmative action and equal employment opportunity.

Proposers have the right to appeal a determination of non-responsiveness and/or non-responsibility and have the right to protest a solicitation and award as specified in Chapter 1 of Title 12 of the Rules of the City of New York.

All RFP submission materials become the property of the City of New York and Parks. 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.

Parks 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, 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.

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

Proposers should be aware that this concession will be developed and operated pursuant to a license agreement issued by Parks. In the event this agreement is terminated, Parks will not reimburse licensee's unamortized capital improvement costs.

A proposer may submit a modified proposal to replace all or any portion of a proposal submitted up until the proposal submission deadline. Parks will only consider the latest version of the proposal. Late proposals and late modifications will not be considered for evaluation, except as provided for in Section 1-13(j)(2)(i) of the Concession Rules. Proposers may withdraw their proposals from consideration at any time before the proposal submission deadline by submitting written notice to Parks. A proposer may not withdraw its proposal before the



expiration of forty-five (45) calendar days after the date of the opening of proposals; thereafter a proposer may only withdraw its proposal by submitting written notice to Parks in advance of an actual grant of a concession.

Technical addenda issued by Parks will be the only authorized method for communicating clarifying information to all potential proposers. Proposers should contact the agency before submitting a proposal to verify that they have received any addenda issued. Proposers shall acknowledge the receipt of any addenda in their proposal submissions.

Proposers should be aware that, upon Parks' request, proposer(s) will be required to complete and submit an online Procurement and Sourcing Solutions Portal (PASSPort) Vendor and Principal Questionnaires (formerly known as Vendor Information Exchange System (VENDEX) forms) to the Mayor's Office of Contract Services (MOCS). In addition, any person or entity with at least a 10% ownership interest in the submitting vendor (including a parent company), is required to complete PASSPort Questionnaires (Principal Questionnaire for any person and Vendor Questionnaire for any entity with at least a 10% ownership interest in the submitting vendor). The concession award will be subject to completion of the PASSPort questionnaires and review of certain information contained therein by the Department of Investigation. To submit the questionnaires to MOCS, create an account and submit the vendor enrollment package in PASSPort through the NYC website at <http://www.nyc.gov/passport>.

The New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that 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, New York 10007. This office may be reached at (212) 669-2323.

Mitchell J. Silver, FAICP,
Commissioner



EXHIBIT A

PAID SICK LEAVE LAW CONCESSION AGREEMENT RIDER

Introduction and General Provisions

The Earned Sick Time Act, also known as the Paid Sick Leave Law (“PSLL”), requires covered employees who annually perform more than 80 hours of work in New York City to be provided with paid sick time.¹ Concessionaires of the City of New York or of other governmental entities may be required to provide sick time pursuant to the PSLL.

The PSLL became effective on April 1, 2014, and is codified at Title 20, Chapter 8, of the New York City Administrative Code. It is administered by the City’s Department of Consumer Affairs (“DCA”); DCA’s rules promulgated under the PSLL are codified at Chapter 7 of Title 6 of the Rules of the City of New York (“Rules”).

The Concessionaire agrees to comply in all respects with the PSLL and the Rules, and as amended, if applicable, in the performance of this agreement. The Concessionaire further acknowledges that such compliance is a material term of this agreement and that failure to comply with the PSLL in performance of this agreement may result in its termination.

The Concessionaire must notify the Concession Manager in writing within ten (10) days of receipt of a complaint (whether oral or written) regarding the PSLL involving the performance of this agreement. Additionally, the Concessionaire must cooperate with DCA’s education efforts and must comply with DCA’s subpoenas and other document demands as set forth in the PSLL and Rules.

The PSLL is summarized below for the convenience of the Concessionaire.

The Concessionaire is advised to review the PSLL and Rules in their entirety. On the website www.nyc.gov/PaidSickLeave there are links to the PSLL and the associated Rules as well as additional resources for employers, such as Frequently Asked Questions, timekeeping tools and model forms, and an event calendar of upcoming presentations and webinars at which the Concessionaire can get more information about how to comply with the PSLL. The Concessionaire acknowledges that it is responsible for compliance with the PSLL notwithstanding any inconsistent language contained herein.

Pursuant to the PSLL and the Rules:

Applicability, Accrual, and Use

An employee who works within the City of New York for more than eighty hours in any consecutive 12-month period designated by the employer as its “calendar year” pursuant to the PSLL (“Year”) must be provided sick time. Employers must provide a minimum of one hour of sick time for every 30 hours worked by an employee and compensation for such sick time must be provided at the greater of the employee’s regular hourly rate or the minimum wage. Employers are not required to provide more than forty hours of sick time to an employee in any Year.

An employee has the right to determine how much sick time he or she will use, provided that employers may set a reasonable minimum increment for the use of sick time not to exceed four hours per day. In addition, an employee may carry over up to forty hours of unused sick time to the following Year, provided that no employer is required to allow the use of more than forty hours of sick time in a Year or carry over unused paid sick time if the employee is paid for such unused sick time and the employer provides the employee with at least the legally required amount of paid sick time for such employee for the immediately subsequent Year on the first day of such Year.

¹ Pursuant to the PSLL, if fewer than five employees work for the same employer, as determined pursuant to New York City Administrative Code §20-912(g), such employer has the option of providing such employees uncompensated sick time.



An employee entitled to sick time pursuant to the PSLL may use sick time for any of the following:

- such employee's mental illness, physical illness, injury, or health condition or the care of such illness, injury, or condition or such employee's need for medical diagnosis or preventive medical care;
- such employee's care of a family member (an employee's child, spouse, domestic partner, parent, sibling, grandchild or grandparent, or the child or parent of an employee's spouse or domestic partner) who has a mental illness, physical illness, injury or health condition or who has a need for medical diagnosis or preventive medical care;
- closure of such employee's place of business by order of a public official due to a public health emergency; or
- such employee's need to care for a child whose school or childcare provider has been closed due to a public health emergency.

An employer must not require an employee, as a condition of taking sick time, to search for a replacement. However, an employer may require an employee to provide: reasonable notice of the need to use sick time; reasonable documentation that the use of sick time was needed for a reason above if for an absence of more than three consecutive work days; and/or written confirmation that an employee used sick time pursuant to the PSLL. However, an employer may not require documentation specifying the nature of a medical condition or otherwise require disclosure of the details of a medical condition as a condition of providing sick time and health information obtained solely due to an employee's use of sick time pursuant to the PSLL must be treated by the employer as confidential.

If an employer chooses to impose any permissible discretionary requirement as a condition of using sick time, it must provide to all employees a written policy containing those requirements, using a delivery method that reasonably ensures that employees receive the policy. If such employer has not provided its written policy, it may not deny sick time to an employee because of non-compliance with such a policy.

Sick time to which an employee is entitled must be paid no later than the payday for the next regular payroll period beginning after the sick time was used.

Exemptions and Exceptions

Notwithstanding the above, the PSLL does not apply to any of the following:

- an independent contractor who does not meet the definition of employee under section 190(2) of the New York State Labor Law;
- an employee covered by a valid collective bargaining agreement in effect on April 1, 2014 until the termination of such agreement;
- an employee in the construction or grocery industry covered by a valid collective bargaining agreement if the provisions of the PSLL are expressly waived in such collective bargaining agreement;
- an employee covered by another valid collective bargaining agreement if such provisions are expressly waived in such agreement and such agreement provides a benefit comparable to that provided by the PSLL for such employee;
- an audiologist, occupational therapist, physical therapist, or speech language pathologist who is licensed by the New York State Department of Education and who calls in for work assignments at will, determines his or her own schedule, has the ability to reject or accept any assignment referred to him or her, and is paid an average hourly wage that is at least four times the federal minimum wage;
- an employee in a work study program under Section 2753 of Chapter 42 of the United States Code;
- an employee whose work is compensated by a qualified scholarship program as that term is defined in the Internal Revenue Code, Section 117 of Chapter 20 of the United States Code; or
- a participant in a Work Experience Program (WEP) under section 336-c of the New York State Social Services Law.

Retaliation Prohibited



An employer may not threaten or engage in retaliation against an employee for exercising or attempting in good faith to exercise any right provided by the PSSL. In addition, an employer may not interfere with any investigation, proceeding, or hearing pursuant to the PSSL.

Notice of Rights

An employer must provide its employees with written notice of their rights pursuant to the PSSL. Such notice must be in English and the primary language spoken by an employee, provided that DCA has made available a translation into such language. Downloadable notices are available on DCA's website at <http://www.nyc.gov/html/dca/html/law/PaidSickLeave.shtml>.

Any person or entity that willfully violates these notice requirements is subject to a civil penalty in an amount not to exceed fifty dollars for each employee who was not given appropriate notice.

Records

An employer must retain records documenting its compliance with the PSSL for a period of at least three years, and must allow DCA to access such records in furtherance of an investigation related to an alleged violation of the PSSL.

Enforcement and Penalties

Upon receiving a complaint alleging a violation of the PSSL, DCA has the right to investigate such complaint and attempt to resolve it through mediation. Within 30 days of written notification of a complaint by DCA, or sooner in certain circumstances, the employer must provide DCA with a written response and such other information as DCA may request. If DCA believes that a violation of the PSSL has occurred, it has the right to issue a notice of violation to the employer.

DCA has the power to grant an employee or former employee all appropriate relief as set forth in New York City Administrative Code 20-924(d). Such relief may include, among other remedies, treble damages for the wages that should have been paid, damages for unlawful retaliation, and damages and reinstatement for unlawful discharge. In addition, DCA may impose on an employer found to have violated the PSSL civil penalties not to exceed \$500 for a first violation, \$750 for a second violation within two years of the first violation, and \$1,000 for each succeeding violation within two years of the previous violation.

More Generous Policies and Other Legal Requirements

Nothing in the PSSL is intended to discourage, prohibit, diminish, or impair the adoption or retention of a more generous sick time policy, or the obligation of an employer to comply with any contract, collective bargaining agreement, employment benefit plan or other agreement providing more generous sick time. The PSSL provides minimum requirements pertaining to sick time and does not preempt, limit or otherwise affect the applicability of any other law, regulation, rule, requirement, policy or standard that provides for greater accrual or use by employees of sick leave or time, whether paid or unpaid, or that extends other protections to employees. The PSSL may not be construed as creating or imposing any requirement in conflict with any federal or state law, rule or regulation

To be completed by the City agency prior to distribution

Agency NYC DPR

Transaction ID M70-O-2017

Check One

Transaction Type (check one)

Proposal Award

Concession Economic Development Agreement Franchise Grant Pension Investment Contract Contract

Any entity receiving, applying for or proposing on an award or agreement must complete a Doing Business Data Form (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink, and be sure to fill out the certification box on the last page. **Submission of a complete and accurate form is required for a proposal to be considered responsive or for any entity to receive an award or enter into an agreement.**

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York, as will the organizations that own 10% or more of the entity. No other information reported on this form will be disclosed to the public. **This Data Form is not related to the City's PASSPort registration or VENDEX requirements.**

Please return the completed Data Form to the City office that supplied it. Please contact the Doing Business Accountability Project at DoingBusiness@mocs.nyc.gov or 212-788-8104 with any questions regarding this Data Form. Thank you for your cooperation.

If you are completing this form by hand, please print clearly.

Entity Information

Entity EIN/TIN _____ Entity Name _____

Filing Status

(Select One)

NEW: Data Forms submitted now must include the listing of **organizations**, as well as individuals, with 10% or more ownership of the entity. Until such certification of ownership is submitted through a change, new or update form, a no change form will not be accepted.

- Entity has never completed a Doing Business Data Form. Fill out the entire form.
- Change from previous Data Form dated _____. Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the entity.
- No Change from previous Data Form dated _____. Skip to the bottom of the last page.

Entity is a Non-Profit Yes No

Entity Type Corporation (any type) Joint Venture LLC Partnership (any type) Sole Proprietor Other (specify) _____

Address _____

City _____ State _____ Zip _____

Phone _____ E-mail _____

Provide your e-mail address in order to receive notices regarding this form by e-mail.

Principal Officers

Please fill in the required identification information for each officer listed below. If the entity has no such officer or its equivalent, please check "This position does not exist." If the entity is filing a Change Form and the person listed is replacing someone who was previously disclosed, please check "This person replaced..." and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

Chief Executive Officer (CEO) or equivalent officer

This position does not exist

The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.

First Name _____ MI _____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

This person replaced former CEO _____ on date _____

Chief Financial Officer (CFO) or equivalent officer

This position does not exist

The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.

First Name _____ MI _____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

This person replaced former CFO _____ on date _____

Chief Operating Officer (COO) or equivalent officer

This position does not exist

The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.

First Name _____ MI _____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

This person replaced former COO _____ on date _____

Principal Owners

Please fill in the required identification information for all individuals or organizations that, through stock shares, partnership agreements or other means, **own or control 10% or more of the entity**. If no individual or organization owners exist, please check the appropriate box to indicate why and skip to the **Senior Managers** section. If the entity is owned by other companies that control 10% or more of the entity, those companies must be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list any individuals or organizations that are no longer owners at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

- The entity is not-for-profit
- The entity is an individual
- No individual or organization owns 10% or more of the entity

Other (explain) _____

Individual Owners (who own or control 10% or more of the entity)

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

Organization Owners (that own or control 10% or more of the entity)

Organization Name _____

Organization Name _____

Organization Name _____

Remove the following previously-reported Principal Owners

Name _____ Removal Date _____

Name _____ Removal Date _____

Name _____ Removal Date _____

Senior Managers

Please fill in the required identification information for all senior managers who oversee any of the entity's relevant transactions with the City (e.g., contract managers if this form is for a contract award/proposal, grant managers if for a grant, etc.). Senior managers include anyone who, either by title or duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any transaction with the City. At least one senior manager must be listed, or the Data Form will be considered incomplete. If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

Senior Managers

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

Remove the following previously-reported Senior Managers

Name _____ removal date _____

Name _____ removal date _____

Certification

I certify that the information submitted on these two pages and _____ additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the entity being found non-responsible and therefore denied future City awards.

Name _____ Title _____

Entity Name _____ Work Phone # _____

Signature _____ Date _____

What is the purpose of the Doing Business Data Form (DBDF)?

To collect accurate, up-to-date identification information about organizations that have business dealings with the City of New York in order to comply with Local Law 34 of 2007 (LL 34), a campaign finance reform law. LL 34 limits municipal campaign contributions from principal officers, owners and senior managers of entities doing business with the City and mandates the creation of a Doing Business Database to allow the City to enforce the law. The information requested in this DBDF must be provided, regardless of whether the organization or the people associated with it make or intend to make campaign contributions. No sensitive personal information collected will be disclosed to the public.

Why have I received this DBDF?

The contract, franchise, concession, grant or economic development agreement you are proposing on, applying for or have already been awarded is considered a business dealing with the City under LL 34. No proposal or application will be considered and no award will be made unless this DBDF is completed. Most transactions valued at more than \$5,000 are considered business dealings and require completion of the Doing Business Data Form. Exceptions include transactions awarded on an emergency basis or by "conventional" competitive sealed bid (i.e. bids that do not use a prequalified list or "Best Value" selection criteria.) Other types of transactions that are considered business dealings include real property and land use actions with the City.

What individuals will be included in the Doing Business Database?

The principal officers, owners and certain senior managers of organizations listed in the Doing Business Database are themselves considered to be doing business with the City and will be included in the Database.

- **Principal Officers** are the Chief Executive Officer (CEO), Chief Financial Officer (CFO) and Chief Operating Officer, or their functional equivalents. See the DBDF for examples of titles that apply.
- **Principal Owners** are individuals who own or control 10% or more of the organization. This includes stockholders, partners and anyone else with an ownership or controlling interest in the entity.
- **Senior Managers** include anyone who, either by job title or actual duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any contract, concession, franchise, grant or economic development agreement with the City. At least one Senior Manager must be listed or the Data Form will be considered incomplete.

NEW FOR 2018: As of January 2018, the DBDF must report organizations, as well as individuals, that own 10% or more of the entity. A DBDF with such a certification, filed as a full (never filed before) or as a change form, must be submitted before an entity can then file a DBDF that indicates no changes since the previous form. Contact DBA at 212-788-8104 or at doingbusiness@mocs.nyc.gov to inquire if DBA has received such a form.

I have already completed a Doing Business Data Form, do I have to submit another one?

Yes. An organization is required to submit a DBDF each time it enters into a transaction considered a business dealing with the City, including contract, concession and franchise proposals. However, the DBDF has both a Change option, which requires only information that has changed since the last DBDF was filed, and a No Change option. No organization should have to fill out the entire DBDF more than once.

If you have already submitted a DBDF for one transaction type (such as a contract), and this is the first time you are completing a DBDF for a different transaction type (such as a grant), please select the Change option and complete Section 4 (Senior Managers) for the new transaction type.

Will the personal information on the DBDF be available to the public?

No. The names and titles of the officers, owners and senior managers reported on the DBDF will be made available to the public, as will information about the organization itself. However, personal identifying information, such as home address and date of birth, will not be disclosed to the public, and home address will not be used for communication purposes.

I provided some of this information in PASSPort; do I have to provide it again?

Yes. Although a Doing Business Data Form and PASSPort request some of the same information, they serve entirely different purposes. In addition, the DBDF requests information concerning senior managers, which is not in PASSPort.

What organizations will be included in the Doing Business Database?

Organizations that hold \$100,000 or more in grants, contracts for goods or services, franchises or concessions (\$500,000 for construction contracts), or that hold any economic development agreement or pension fund investment contract, are considered to be doing business with the City for the purposes of LL 34. Because all of the business that an organization does or proposes to do with the City will be added together, the DBDF must be completed for all transactions valued at more than \$5,000 even if the organization doesn't currently do enough business with the City to be listed in the Database.

No one in my organization plans to contribute to a candidate; do I have to fill out this DBDF?

Yes. All organizations are required to return this DBDF with complete and accurate information, regardless of the history or intention of the entity or its officers, owners or senior managers to make campaign contributions. The Doing Business Data Form must be complete so that the Campaign Finance Board can verify whether future contributions are in compliance with the law.

My organization is proposing on a contract with another firm as a Joint Venture that does not exist yet; how should the Data Form be completed?

A joint venture that does not yet exist must submit a DBDF for each of its component firms. If the joint venture receives the award, it must then complete a form in the name of the joint venture.

How long will an organization and its officers, owners and senior managers remain listed on the Doing Business Database?

- **Contract, Concession and Economic Development Agreement holders:** generally for the term of the transaction, plus one year.
- **Franchise and Grant holders:** from the commencement or renewal of the transaction, plus one year.
- **Pension investment contracts:** from the time of presentation on an investment opportunity or the submission of a proposal, whichever is earlier, until the end of the contract, plus one year.
- **Line item and discretionary appropriations:** from the date of budget adoption until the end of the contract, plus one year.
- **Contract proposers:** for one year from the proposal date or date of public advertisement of the solicitation, whichever is later.
- **Franchise and Concession proposers:** for one year from the proposal submission date.

For information on other transaction types, contact the Doing Business Accountability Project.

How does a person remove him/herself from the Doing Business Database?

When an organization stops doing business with the City, the people associated with it are removed from the Database automatically. However, any person who believes that s/he should not be listed may apply for removal. Reasons that a person would be removed include his/her no longer being the principal officer, owner or senior manager of the organization. Organizations may also update their database information by submitting an update form. Removal Request and Update forms are available online <https://www1.nyc.gov/site/mocs/resources/forms.page> or by calling 212-788-8104.

What are the campaign contribution limits for people doing business with the City?

Contributions to City Council candidates are limited to \$250 per election cycle; \$320 to Borough President candidates; and \$400 to candidates for citywide office. Please contact the NYC Campaign Finance Board for more information at www.nyccfb.info, or 212-306-7100.

The DBDF is to be returned to the City office that issued it.

If you have any questions about the Doing Business Data Form please contact the Doing Business Accountability Project at 212-788-8104 or doingbusiness@mocs.nyc.gov.



BENJAMIN J. KALLOS
NEW YORK CITY COUNCIL MEMBER
DISTRICT 5, MANHATTAN

EXHIBIT



NYC Parks

Alyssa Cobb Konon
Deputy Commissioner
Planning and Development

T 212.360.3402

E alyssa.cobb@parks.nyc.gov

**City of New York
Parks & Recreation**

The Arsenal
Central Park
New York, NY 10065
www.nyc.gov/parks

TO: All Prospective Proposers

FROM: Angel Williams, Project Manager

SUBJECT: For the Development, Operation, and Maintenance of a Year- Round Tennis or Sports Facility at Willowbrook Park, Staten Island (SOLICITATION# R30-IT-2018)

DATE: March 27, 2018

This addendum is being issued in reference to the above mentioned Request for Proposals (RFP) released by the New York City Department of Parks & Recreation (“Parks”) to extend the license term, and to reduce the RFP proposal deposit amount.

In order to provide prospective proposers with an opportunity to revise their proposals based on the changes and clarifications in this addendum, Parks is extending the due date for proposal submissions from Wednesday, March 28th, 2018 at 3:00PM to Friday, April 20th, 2018 at 3:00PM.

Due to the extent of capital improvements and investments that may be needed at the concession, Parks is hereby extending the license term offered from one (1) fifteen (15) year term with three (3) one-year renewal options exercisable at Parks’ sole discretion as listed in the RFP, to one (1) twenty (20) year term. No longer will term be considered.

Currently, the RFP requires proposers to submit an RFP proposal deposit of ten thousand dollars (\$10,000), this addendum changes the proposal deposit fee requirement from ten thousand (\$10,000) to five thousand dollars (\$5,000).

Proposers should note that any additional information not included in this addendum and/or any further changes to the RFP will be communicated in the form of a written addendum from Parks. An addendum from Parks is the only official form of communication regarding additional or clarifying information pertaining to the RFP. Proposers shall acknowledge the receipt of this addendum and any additional addenda that may be issued by Parks for this solicitation in their proposal submissions. All other terms and conditions of the RFP are unchanged by this addendum and shall remain in full force and effect.

Please contact me with any questions you may have. I can be reached by phone at (212) 360-3495 or via email at Angel.Williams@parks.nyc.gov .

Thank you.



Request for Proposals

For the Development, Operation, and Maintenance of a Year- Round Tennis or Sports Facility at Willowbrook Park, Staten Island

STATEN ISLAND

ISSUE DATE: Friday, February 16th, 2018

SOLICITATION # R30-IT-2018

City of New York Parks & Recreation
www.nyc.gov/parks

Bill de Blasio, Mayor
Mitchell J. Silver, FAICP, Commissioner
Alyssa Cobb Konon, Deputy Commissioner for Planning and Development
Lynda Ricciardone, Borough Commissioner for Staten Island Parks



NYC Parks



REQUEST FOR PROPOSALS (RFP)

The City of New York Department of Parks & Recreation (“Parks”) requests proposals for the development, operation, and maintenance of a year-round tennis or sports facility at Willowbrook Park, in Staten Island.

THE TERM

Parks is seeking a concessionaire for one (1) fifteen-year term, with three (3) one-year renewal options, exercisable at Parks’ sole discretion term. 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.

PROJECT MANAGER

The Project Manager for this concession is Angel Williams. All RFP questions and/or inquiries should be directed to her. She may be reached at:

Phone: (212) 360-3495

Email: Angel.Williams@parks.nyc.gov

Fax: (917)849-6627



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 (212) 504-4115.

RFP TIMETABLE

The following schedule has been established for this RFP:

RFP Release Date: Friday, February 16th, 2018

[Recommended Proposer

Meeting & Site Tour: Wednesday, February 28th, 2018 at 12:00 pm

Proposals Due: Wednesday, March 28th, 2018 at 3:00 pm

Interviews (if any): April 23, 2018



If you have a physical disability and cannot deliver your proposal to the Arsenal, please contact the Project Manager(s) at least 48 hours prior to the deadline and alternate arrangements can be made.

RECOMMENDED PROPOSER MEETING & SITE TOUR

There will be a recommended on-site proposer meeting and site tour on February, 28, 2018 at 12:00 p.m. We will be meeting at the proposed concession site (Block # 2030 & Lot # 155), which is located in Willowbrook Park between Richmond & Eton Place, Staten Island. We will be meeting in front of the tennis courts. If you are considering responding to this RFP, please make every effort to attend this recommended meeting and site tour.

MEETINGS



The Selection Committee may decide to meet with certain proposers on the week of April 23rd, 2018. This is the only period of time meetings will be held. Therefore, it is recommended that proposers keep the week of April 23rd available to meet with the Selection Committee.

If there are circumstances beyond a proposer's or Parks' control and the meeting cannot take place on the week of April 23rd, Parks will schedule a meeting between the proposer and the selection committee on an alternate date.

I. PROJECT BACKGROUND

A. HISTORY & EXISTING CONDITIONS

Willowbrook Park is one of the most popular of Staten Island's Greenbelt parks. Its combination of natural wilderness and recreational facilities draws a variety of visitors. The 164 acres of greenery offer a welcome contrast to the bustling neighborhood and traffic-lined streets that surround it.

Among the recreational facilities are ballfields, tennis courts, a boathouse, playgrounds, and an archery range. Willowbrook Lake, the first man-made pond on Staten Island was constructed in 1932 by Parks Commissioner John J. O'Rourke. Stocked with fish, the five acres is also a bird sanctuary. A new feature in the park is the Carousel for All Children, a 94' structure that opened in May 1999. Designed by Gabriella Ward and Jonna Carmona-Graf, the carousel has 51 hand-created animals, and panels depicting Staten Island scenes. The carousel is completely accessible to children and adults with disabilities. Begun by citizen efforts in 1993, the greater part of the funds for the \$2,216,000 project came from Borough President, Guy V. Molinari. The Greenbelt Conservancy is raising an endowment for its maintenance. In 1989, the park received \$1.2 million worth of improvements, including six new tennis courts, gravel for the roads, and an asphalt pedestrian walkway providing handicapped access to the lake.

The tennis courts are located within Willowbrook Park near the intersection of Richmond Avenue and Eton Place. Currently, there are two (2) sets of three (3) asphalt courts that have been closed since 2014 due to deterioration.

The development plan for a new concession feature to the park must include a year-round tennis or sports facility and may include a club house.

B. FINANCIAL HISTORY

The following chart lists the total gross receipts, minimum annual fees, percentage of gross receipts, and fees paid to Parks by a comparable concessionaire for years 2016-2018 (previous operating term at McCarren



Park indoor tennis facility) . The fees paid to Parks are expressed as the higher of the minimum annual fee versus a percentage of gross receipts.

OPERATING YEAR*	GROSS RECEIPTS	MINIMUM ANNUAL FEE	PERCENTAGE OF GROSS RECEIPTS	FEES PAID TO PARKS
2016-2017	\$396,470.59	\$48,000.00	.05%	\$48,000.00
2017-2018	\$536,436.35	\$54,000.00	.06%	\$54,000.00

*Operating Year is October 1st through September 30th

II. PROJECT COMPONENTS

A. OVERVIEW

Parks is seeking proposals for the development, operation and maintenance of a year-round tennis or sports facility at Willowbrook Park in Staten Island.

Operational Plan Proposers should submit a detailed operational plan for the entire Licensed Premises. This plan should include, but not be limited to, intended use of the facility, hours of operation, services to be provided, any plans to install energy efficient appliances that have the Energy Star seal of approval and/or water conserving appliances, and any plans to use “Green Seal” or other environmentally friendly products or devices, staffing plans, safety and security plans, menu, merchandise to be sold, programming plans, internal controls, mechanisms to measure customer satisfaction, a detailed list of all proposed fees and prices, landscaping/horticulture plans, and maintenance, snow, rubbish removal, and cleaning schedules.

All plans, schedules, services, menu items, merchandise, prices and fees, and hours of operation are subject to Parks’ prior, written approval.

The Indoor Sports Facility The concessionaire will be required to operate and maintain an indoor sports facility with one (1) inflatable air structure. While Parks expects that the indoor sports facility will be primarily used for tennis, other proposed sports- related uses, such as for indoor soccer or football, will be considered and are subject to Parks’ prior written approval.

The concessionaire will be required to operate the indoor sports facility for a period defined as the “Indoor Season,” commencing each October (on the day after the observed Columbus Day holiday) and continuing through the last Friday in April of the following year, unless a modified operating season is approved by Parks. The concessionaire may operate and maintain a clubhouse



subject to prior written approval by Parks. All hours of operation are subject to Parks' prior written approval.

The concessionaire must provide an inflatable air structure *in new or like-new condition* and all ancillary equipment, including but not limited to lighting, heating, inflation equipment, and other support and expendable equipment during the Indoor Season. It should be understood that all startup and close-down activities, including but not limited to the assembly and disassembly of the bubbles and ancillary equipment, must be undertaken by the concessionaire no sooner and completed no later than the dates set forth above which define the Indoor Season, unless otherwise approved in advance by Parks. The inflatable air structure must be kept clean throughout the Indoor Season and the concessionaire will be required to store the inflatable air structure offsite during the outdoor season, as defined below. The inflatable air structure must be sensitive to the tennis courts' environment. Parks will not allow the areas around the courts to be affected by the air structures.

Tennis/Sports Instructors The concessionaire may provide tennis/sports instruction at the Licensed Premises. All tennis instructors must have training and experience in tennis instruction meeting standards that are satisfactory to Parks. This includes but is not limited to certification by the United States Professional Tennis Association (USPTA) or the United States Professional Tennis Registry (USPTR).

Indoor Sports Facility Fees All fees and prices must be approved by Parks in writing in advance. The concessionaire will be allowed, and even encouraged, to offer seasonal rates, special rates for walk-ins when courts are available, lower rates for senior citizens/youths, etc.

Current Indoor Tennis Rates at a McCarren Park Tennis facility

Open Court Time Rates

Days	Hours	Regular Rates Per Hour	Senior Rates Per Hour
Monday - Friday	6:00 am - 2:00 pm	\$40	\$35
Monday - Friday	2:00 pm - 6:00 pm	\$50	\$45
Monday - Friday	6:00 pm - 11:00 pm	\$60	\$55
Saturday-Sunday, Holidays	6:00 am - 9:00 am	\$45	\$40
Saturday-Sunday, Holidays	9:00 am - 7:00 pm	\$75	\$70
Saturday-Sunday, Holidays	7:00 pm - 11:00 pm	\$55	\$50



Private Lesson Rates

Day	Time	Staff Pro Rates Per Hour	Senior Pro Rates Per House	Semi-Private
Monday - Friday	Before 2:00 pm	\$90	\$100	\$100/\$110
Monday - Friday	After 2:00 pm	\$120	\$130	\$130/\$140
Saturday-Sunday, Holidays	Before 9am or after 5 pm	\$105	\$115	\$115/\$125

Outdoor Courts During the “Outdoor Season,” which shall be defined as the time between the end of the Indoor Season and the beginning of the next Indoor Season, the concessionaire will be given use of one (1) outdoor tennis court, assigned by Parks, to provide tennis lessons to the general public for fees which have been approved by Parks in writing and in advance. Parks may assign more than one (1) outdoor tennis courts to the concessionaire at its discretion. During the Outdoor Season, the concessionaire will be responsible for the maintenance and repair of the outdoor tennis court(s), assigned by Parks, at which the concessionaire may provide tennis lessons to the general public. During the Outdoor Season, the remainder of the courts within the Licensed Premises which are not assigned by Parks to the concessionaire for the provision of tennis lessons will be operated by Parks but must be maintained by the concessionaire. The concessionaire will be required to make all necessary repairs to all of the courts before the end of the Indoor Season to ensure that they are in good condition by the beginning of the Outdoor Season.

Public Programming Parks encourages proposers to incorporate a programming component into their proposals, (e.g., youth outreach programs, discounted/free concession services, special programs/accommodations for senior citizens and persons with disabilities, and scholarships for youth in need). Parks will look favorably upon proposals that incorporate community programming and youth outreach.

During the Indoor Season, the concessionaire will be required to provide at least 8 court-hours per week (at least two courts at any given time) for free, Parks-sponsored youth instruction and development programs, free court time, or other Parks approved purpose. Time provided must be during the hours of 4 - 6pm Monday through Friday and/or 8am - 8pm on Saturday/Sunday, unless otherwise approved by Parks. Parks will view favorably proposals which include more time per week and/or courts dedicated for youth tennis programs than the minimum requirements.

Clubhouse Parks will entertain proposals that include a capital construction component. The concessionaire has the option to develop, operate, and maintain a clubhouse for use year-round, which can include public restrooms, locker rooms, and showers. Additional features to the club house may include a pro shop, kitchen, storage, indoor seating, snack bar or food service facility, meeting and multipurpose space, fitness equipment and vending machines. Additional features will be subject to Parks’ prior written approval.



Pro Shop The clubhouse may include the sale of merchandise, supplies, and equipment from a pro shop, the size and location of which are subject to Parks' prior written approval. All merchandise to be sold at the pro shop and the proposed prices of those items are subject to Parks' prior written approval.

Pro Shop Sublicensing Option Parks will entertain proposals that include the sublicensing of pro shop operations. Any sublicense agreements are subject to Parks' prior written approval. Proposers seeking to sublicense pro shop operations will be required to report total gross receipts generated from pro shop operations. All sublicensees will be subject to the same internal control requirements as the licensee. In the event the proposer's fee offer is made in the form of a guaranteed minimum payment vs. a percentage of gross revenue, total gross receipts from pro shop operations must be included in the gross revenue upon which payment to the City is based, unless otherwise approved by Parks.

The Food Service Facility The concessionaire may develop, operate and maintain a food service facility in the clubhouse at a high standard of quality. The exact size and location of the food service facility are subject to Parks' prior written approval.

Proposers desiring to develop a clubhouse should submit a menu and price list in their proposals that demonstrates quality, variety, and affordability. Proposers should include some low-cost items on their menus. Parks will view favorably proposals which incorporate ethnically diverse and/or healthy food choices, such as salads, fresh fruit, nuts, bottled water, juices, smoothies, etc. All prices and menu items are subject to Parks' prior written approval.

The concessionaire will be required to maintain adequate inventory to assure a constant supply of food and beverages. Any staff assigned by the concessionaire to sell food and beverages to the public must possess all Federal, State, and City authorizations, and possess, and at all times display, appropriate New York City Department of Health and Mental Hygiene ("DOHMH") permits.

Food Service or Other Operations Sublicensing Option

Proposers seeking to sublicense food service or other operations for some or all of the services provided will be required to report total gross receipts generated from food service or other sublicensed operation. Because the proposer's fee offer will be in the form of a guaranteed minimum payment vs. a percentage of gross receipts, total gross receipts from food service or other operations must be included in the gross receipts upon which payment to the City is based, unless otherwise approved by Parks. All sublicensees will be subject to the same internal control requirements as the licensee. All terms and conditions of sublicense agreements and operations, including payment to the City, are subject to Parks' prior, written approval.

The concessionaire may only operate the food service facility if he or she has obtained the appropriate, valid permits and authorizations required by DOHMH.

DOHMH Information In addition to a Parks' license, at all times that the food service facility is operating, a staff person with a valid DOHMH food handler's license must be present. To obtain a DOHMH license, contact the



Citywide Licensing Center, 42 Broadway, 5th floor, Monday through Friday 9:00am to 5:00pm, or by phone at 311 or 212-New York. Note: Offices are closed during City/Public Holidays. Vendors should be aware that if they are applying for a DOHMH license for the first time, this process can take six weeks or more. Vendors operating without all necessary permits may be subject to fines and/or confiscation of merchandise and vending unit(s).

DOHMH Letter Grades: Food Facilities (i.e. Snackbars, Restaurants, etc.) Proposers should note that food service facilities of concessionaires are subject to a Department of Health and Mental Hygiene letter grading program. The current program is codified in Health Code Article 81.51 and Chapter 23 of Title 24 of the Rules of the City of New York and is described at: <http://www1.nyc.gov/site/doh/business/food-operators/letter-grading-for-restaurants.page>

Alcoholic Beverages Alcoholic beverages may be served to complement the food service, provided that the concessionaire obtains the appropriate license(s) from the State Liquor Authority (SLA). Alcoholic beverages may only be served in the immediate vicinity of the Licensed Premises and/or in a cordoned-off area if exterior seating is proposed and must be consumed on the Licensed Premises within designated areas. All efforts must be made to keep alcohol consumption discrete. The operator must keep in mind that this is a public park and the consumption of alcohol should be encouraged only as an accompaniment to the cuisine.

Tables, Chairs & Umbrellas The concessionaire may place tables, chairs, and umbrellas at the Licensed Premises. The design, color, placement, and number of all tables, chairs, umbrellas and food service facility equipment are subject to Parks' prior, written approval. The concessionaire must ensure free and open public access to any outdoor seating areas.

Vending Machines The concessionaire may, with Parks' prior written approval, provide snack and beverage service through vending machines at the Licensed Premises. A maximum of three (3) vending machines may be placed at the Licensed Premises. The concessionaire shall remove any vending machines at the direction of the Commissioner.

Proposers should be aware that the City has developed Citywide Food and Beverage Vending Machines Standards ("Standards"), which are available at:

<https://www1.nyc.gov/assets/doh/downloads/pdf/cardio/cardio-vending-machines-standards.pdf>

<https://www1.nyc.gov/assets/doh/downloads/pdf/cdp/nyc-vending-machines-beverage-standards.pdf>

or by contacting the Project Manager (see above). The concessionaire will be required to comply with these Standards.

The Standards may be changed during the term of the License. The concessionaire will be required to comply with any new and/or changed food or beverage standards in the operation of vending machines at all vending locations. Notwithstanding the foregoing, if the implementation of such new or changed Standards will result in a material adverse effect on the



concessionaire's cost, upon submission to Parks of documentation satisfactory to Parks demonstrating such effect, the concessionaire and Parks may amend the License as agreed upon between Parks and the concessionaire. If the concessionaire fails to comply with any new and/or changed Standards, as directed by Parks, the concessionaire shall remove any vending machines on the Licensed Premises.

Merchandise The concessionaire may also sell merchandise; however, proposers should be aware that the City is the trademark owner of various marks and has licensed the use of those trademarks for use on certain designated merchandise. If the successful proposer wants to sell merchandise that uses the City's trademarks, the successful proposer will be required to purchase merchandise from authorized licensees of the City of New York. Parks will not permit the sale of merchandise promoting musicians, entertainers, sports figures, cartoon characters, commercial products or non-park-related events. All prices and merchandise to be sold are subject to Parks' prior written approval.

The knowing sale of counterfeit or unlicensed merchandise at this concession will result in the immediate termination of the license agreement and seizure of the security deposit.

Lighting The concessionaire shall be responsible for providing safe lighting throughout the Licensed Premises. The concessionaire shall also be responsible for replacing lamps after lamp outages.

Hours of Operation The concessionaire may only operate the Licensed Premises when the park is open. All hours of operation are subject to Parks' prior written approval. At its sole discretion, but based upon written request from Licensee, Parks may allow changes to Licensee's approved operating hours/schedule. If the request is granted by the Commissioner, the concessionaire will continue to be responsible for all other obligations under the License Agreement, including the payment of all license fees.

Internal Controls Throughout the License term, the concessionaire will be required to maintain a revenue control system to ensure the accurate and complete recording of all revenues, in a form and manner acceptable to the City. This revenue control system must maintain detailed sales information from each sales transaction. Specifically, sales information must be recorded electronically, via a point-of-sale system, and must include, but is not limited to, details on each sales transaction, the item(s) sold, time, date of sale and price of the item sold. In addition, each of concessionaire's Special Events must be documented via signed sequentially pre-numbered contracts that capture event information, including the time and date of the event, the number of attendees and required payment. The concessionaire must also establish a dedicated bank account for all deposits related to this concession's revenue. All accounting and internal control related records shall be maintained for a minimum of ten (10) years from the date of creation of the record.

Staff The concessionaire will be required to have a sufficient number of staff available at the Licensed Premises during regular operating hours to ensure proper operation of the concession. Parks reserves the right to require that all



staff wear uniforms that have been approved in writing by Parks. Parks encourages the successful proposer to engage in outreach to the community.

Storage Parks makes no representations that there is adequate storage space at the Licensed Premises. The concessionaire shall be responsible for, at its sole cost and expense, obtaining any additional storage space required for the operation of the concession. The concessionaire shall not store any equipment or supplies at the Licensed Premises without the prior, written approval of Parks. No item shall be placed upon any public space, including the ground adjacent to the Licensed Premises without Parks' prior, written approval. The concessionaire will be required to store all outdoor equipment on a nightly basis and anytime the concession is closed.

Maintenance The concessionaire will be required, at its sole cost and expense (or through arrangements with third parties), to develop, operate, and maintain the Licensed Premises in good and safe condition and in accordance with industry standards. This includes, but is not limited to, the maintenance and repair of the entire Licensed Premises, all interior and exterior structures, building systems, tennis courts, utility systems and connections, sewer systems and connections, equipment, lighting, sidewalks, paved areas, security and alarm system vaults, gutters, curbs, and fixtures. In addition, all signs and structures on the Licensed Premises must be kept in good condition and free of graffiti. The erecting of any ancillary structures at the Licensed Premises shall be subject to Parks' prior written approval.

Horticulture & Landscaping The concessionaire will be required to maintain and improve the landscaping at the Licensed Premises. This shall include, but is not limited to, performing any seeding, trimming, pruning, planting, fertilization, terrain shaping, and soil improvements. Parks makes every effort to preserve and protect trees in the public right-of-way until their health or condition warrants removal. The concessionaire will report dead and diseased trees to Parks and upon Parks' request they will remove them. In addition, Parks requires that any trees on the Licensed Premises be pruned as needed. The concessionaire will be required to submit detailed plans to Parks of all horticultural and landscaping work to be performed. All work to be performed at the Licensed Premises is subject to Parks' prior written approval. In addition, the concessionaire will be required to obtain all necessary permits, approvals, and authorizations from all City, State, and Federal agencies having jurisdiction over the Licensed Premises before any work is performed, and such work shall be of a quality which meets Parks' standards.

Snow, Rubbish Removal & Recycling The concessionaire will be responsible for, at its sole cost and expense, clean-up and removal of all snow, waste, garbage, refuse, rubbish and litter from the Licensed Premises and the area within fifty (50) feet of the Licensed Premises. The concessionaire will be required to provide adequate and easily accessible waste and recycling receptacles, approved by Parks, and have these receptacles emptied on a daily basis and removed by a private carter. The location and placement of all waste and recycling receptacles is subject to Parks' prior written approval. The concessionaire will be required to comply with all City, State, and Federal regulations regarding recycling. In addition, the concessionaire will be required to demonstrate to Parks' satisfaction, through a detailed maintenance plan, that they will keep and maintain the concession site in excellent condition throughout the license term.



Signage and Advertising Concessionaire will be prohibited from displaying, placing or permitting the display or placement of advertisements in the Licensed Premises, including, but not limited to the Mobile Food Units, without the prior written approval of Parks. The display or placement of tobacco or electronic cigarette advertising shall not be permitted. The display or placement of advertising of alcoholic beverages shall not be permitted but Licensee may display signage approved by Parks setting forth its offerings of alcoholic beverages. The following standards will apply to all allowed advertising: Any type of advertising which is false or misleading, which promotes unlawful or illegal goods, services or activities, or which is otherwise unlawful, including but not limited to advertising that constitutes the public display of offensive sexual material in violation of Penal Law Section 245.11, shall be prohibited. Advertising of product brands is prohibited without Parks' prior written approval. Any and all signage is subject to Parks' prior written approval. The design and placement of all signage, including signage which includes Concessionaire's name, trade name(s) and/or logos, is subject to Parks' prior written approval. Concessionaire will be prohibited from placing advertisements on the exterior of its licensed premises. Any prohibited material displayed or placed shall be immediately removed by the Concessionaire upon notice from Parks at Concessionaire's sole cost and expense.

The concessionaire will be required to provide adequate directional signage to the Licensed Premises in order to direct patrons to the facilities and to minimize motorized travel through residential neighborhoods in the vicinity of the Licensed Premises. The placement, design and contents of all directional signage is subject to Parks' prior written approval and should be in place by the date the facility opens to the public.

Naming of the Concession Proposers should be aware that Parks may require that the City own the portion of any new name selected by the successful proposer for the Licensed Premises that indicates Parks property or a preexisting facility name. The City will not own any portion of a new name that consists of the name, portrait or signature of a living or deceased individual or a restaurant identifier that is not otherwise associated with Parks' property. Parks reserves the right to approve of any name selected by the concessionaire for the concession.

Utilities Parks makes no representations regarding the adequacy of utilities currently in place at the Licensed Premises. The concessionaire will be required to connect to and/or upgrade any existing utility service or create a new utility system, and obtain the appropriate permits and approvals. This includes establishing a dedicated meter and/or submeter that captures electricity usage on the licensed premises and an account with Con Edison (or other relevant providers) as appropriate. The concessionaire will be required to pay for any and all utility costs connected with the operation of this concession during the License term. These utility costs include, but are not limited to, paying all water and sewer charges that the New York City Department of Environmental Protection ("DEP") assesses for water usage. Concessionaire is strictly prohibited from unauthorized use of utilities used, operated or owned by the City.



Drought & Water Conservation Issues The concessionaire will be required to adhere to all DEP directives and restrictions regarding drought and water conservation issues during the License term. Proposals should include any plans to employ methods and equipment which will conserve water, including any plans to upgrade or test the performance of irrigation equipment and the pump station in order to maximize efficiency, eliminate uncontrolled releases of water from water retention structures, regularly check for and remedy leaks in a timely fashion, eliminate non-target watering, to install part-circle irrigation heads where possible, recycle gray water and runoff, and schedule watering around peak evaporation times.

Environmental Considerations As a protector and provider of green spaces, Parks is deeply committed to respecting the environment. Therefore, all proposed operational plans should include a detailed description of environmentally friendly practices planned for the Licensed Premises. Practices may include, but are not limited to, the installation of Energy Star compliant appliances, the use of energy efficient, non-polluting, low noise generators, the employment of energy efficient and water conservation measures, the use of low toxicity chemicals, preservation of natural areas, and the use of environmentally friendly products.

Parks views favorably the installation of Energy Star approved appliances and equipment, such as vending machines and commercial refrigerators, at the Licensed Premises. Proposers should state whether they intend to install products that have the Energy Star seal of approval. Energy Star products and environmentally friendly practices can be found at: <http://www.energystar.gov>.

Parks also views favorably proposals that include plans to use “Green Seal” eco-friendly products such as soaps, cleaners, light bulbs, paper towels, toilet paper and paint. A list of “Green Seal” certified products can be found at <http://www.greenseal.org/findgreensealproductsandservices.aspx>, and a list of environmentally-friendly products/materials is also available at: <http://www1.nyc.gov/site/mocs/resources/environmental-preferable-purchasing.page> should state whether they intend to utilize or install “Green Seal” or other environmentally friendly products, devices, or methods for cleaning and operational purposes. Proposers should also state in their proposals whether they intend to utilize or install energy-efficient compact fluorescent light bulbs (CFLs).

Parks encourages the successful proposer to use chlorine free, biodegradable products such as paper towels, napkins, utensils and plates if the proposer intends to utilize any disposable products for all food service at the Licensed Premises. Additionally, Parks will encourage the use of environmentally friendly cleaners and the selling of sustainable food products. Proposers can consult the web site of the Green Restaurant Association (“GRA”) to locate GRA-endorsed products. Please visit <http://www.dinegreen.com> for more information. In addition to the use of environmentally friendly products, Parks will encourage the successful proposer to train staff on environmentally friendly food service practices and to utilize a composting service to dispose of food waste.

Special Events Subject to prior written approval from Parks, the concessionaire may conduct special events(e.g., either arranged by Licensee



or by reservation of all or part of the License Premises through Licensee by third parties) or programs at the Licensed Premises. The concessionaire shall submit to Parks for approval all plans for any events or programs at the Licensed Premises, and in no event shall the Licensed Premises be closed to conduct private activities during public hours of use except when such activities are specifically approved or sponsored by Parks and such a closure has been announced to the public at least two weeks in advance of such activities or events. Concessionaire must document each Special Event via signed sequentially pre-numbered contracts that capture event information, including the time and date of the event, the number of attendees and required payment. All revenue generated through such special events must be reported to Parks as Gross Receipts.

Parks, acting on behalf of the City of New York, reserves the right to host a number of annual events at the Licensed Premises, including benefits and other non-profit or public events. The dates of such events shall be mutually agreed upon by both parties and shall be reserved in writing not less than one month in advance.

Security Pursuant to a plan approved in writing by Parks, the concessionaire, at its sole cost and expense, shall be responsible for all security at the Licensed Premises year round and shall provide a 24 hour-a-day security system at the Licensed Premises. The concessionaire will be required to secure the Licensed Premises and any other equipment every evening.

Safety Since safety is of the utmost concern, proposers with prior experience in operating this type of facility or similar facilities should submit their personal and/or company safety record. Each proposal should include a detailed outline of maintenance schedules and safety precautions required for the operation of the Licensed Premises as well as any applicable staff qualifications and certifications. Proposers should also provide descriptions of the locations and types of facilities they have operated, including a list of references. The concessionaire will be required to comply with all national safety guidelines and Federal, State and City laws, rules and regulations related to the development, operation and maintenance of the Licensed Premises.

Community Relations Parks will view favorably proposals that demonstrate an awareness of the role of the concession as an integral part of the surrounding community. Parks will view favorably proposals that show a commitment to cooperate with and support park administrators, park users, and the community.

Customer Service Parks expects the concessionaire to create and maintain a high-quality amenity for the public. Parks encourages proposers to implement customer service mechanisms that will enhance and maintain the satisfaction of patrons. These mechanisms should be outlined in each proposal.

Identification & Address The successful proposer 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 execute the license agreement. In addition, all proposers will be expected to provide Parks with at least two (2) telephone numbers for contact purposes. The successful



proposer shall notify the Parks Revenue office immediately of any changes to the successful proposer’s address or phone number.

Inspections & Liquidated Damages Inspectors from Parks will visit the site unannounced to inspect operations and ensure proper maintenance of the concession site. Based on their inspections, Parks may issue directives regarding deficiencies the concessionaire will be obligated to rectify in a timely fashion. Violations of the terms of the license agreement may result in the assessment of liquidated damages which, if not paid promptly, may be deducted from the concessionaire’s security deposit. If the concessionaire fails to provide the cleaning, maintenance, and operational services required by the license agreement, Parks shall notify the concessionaire in writing, and the concessionaire shall be required to correct such shortcomings within the timeframe set forth in such notice. If the concessionaire fails to cure the violation within the timeframe set forth in the notice, Parks may, at its option, in addition to any other remedies available to it, assess liquidated damages and/or suspend or terminate the license agreement. Parks may impose a \$250 administrative fee for reinstatement of a suspended license. Liquidated damages may be assessed in accordance with the following schedule:

PROVISION	LIQUIDATED DAMAGES PER OCCURRENCE
Unauthorized Menu Items or Merchandise	\$150
Missing or Unauthorized Price List	\$250
Overcharging	\$350
Expanding	\$350
Blocked Exits	\$350
Improper Disposal (noxious liquids, debris, etc.)	\$350
Unauthorized tapping into utilities used, operated or owned by the City	\$350
Unauthorized Advertising	\$350
Roving or Vending at Unauthorized Location	\$250
Improper Storage	\$350
Graffiti, Dirty Mobile Food Unit or Umbrella or Restroom not maintained	\$350



Unauthorized tapping into utilities used, operated or owned by the City	\$350
Sticker Expired or Not Displayed	\$250
Unauthorized Vehicular Activity	\$350
Operating without applicable permit(s) or license(s)	\$350
311 sign not displayed	\$250

Procedure for Appeals of Assessments To Concession License Violations If an assessment is received for one of the above violations, there is a process by which the assessments may be appealed if the concessionaire feels that the assessment has been assessed in error. The procedure is outlined below:

1. Filing an Appeal

- A. If the concessionaire wishes to appeal the assessment, a notice of appeal must be delivered to Parks within ten (10) days along with a statement of reasons why he or she believes the assessment was erroneous. The statement of reasons must be notarized. Any evidence supporting the concessionaire’s appeal (such as photographs, documents, witness statements, etc) should also be included.
- B. If no appeal is received within 10 days of the date the assessment is mailed, the assessment shall be considered final and charged to the concessionaire’s account.

2. Adjudication of Appeal

- A. The appeal shall be sent to the Director of Operations Management & Planning, whose office is located at the Arsenal, 830 Fifth Avenue, New York, NY 10065. The Commissioner has designated the Director of Operations Management & Planning to decide on the merits of these appeals. The decision of the Director of Operations Management & Planning shall constitute the final decision of Parks.



- B. The Director of Operations Management & Planning is authorized to investigate the merits of the appeal, but is not required to hold a hearing or to speak to the concessionaire in person.

Access to Licensed Premises The concessionaire will be required to provide Parks with full and free access to the Licensed Premises to ensure Parks' satisfaction with the concessionaire's compliance with the terms of the License Agreement.

No Exclusive Vending Rights Proposers should note that the license agreement will not grant the concessionaire exclusive rights to sell in the park in which the Licensed Premises are located. Moreover, Parks may grant other permits to vendors to sell the same or similar items authorized under this license agreement within the same park in which the Licensed Premises are located. Parks does not guarantee that illegal vendors, persons unauthorized by Parks or disabled veteran vendors will not compete with the successful proposer or operate near the Licensed Premises. Parks encourages concessionaires to report illegal vendors by calling 311.

B. CAPITAL IMPROVEMENTS

Parks anticipates a substantial investment from the concessionaire. The concessionaire will be responsible for all costs associated with the development, operation, and maintenance of the Licensed Premises. Parks will view favorably proposals that include "green building" design elements and encourages the use of environmentally friendly products for all repairs and capital improvements. A list of products/materials relating to environmentally-friendly practices in City construction projects is available in the *New York City EPP Minimum Standards for Construction Products*. A hard copy of the standards may be obtained from the agency or on the web at: http://www.nyc.gov/html/mocs/html/programs/other_epp.shtml.

Improvements & Repairs Parks is seeking proposals that include the following improvements and repairs to the Licensed Premises:

1. Recondition, reconstruct or relocate the 6 existing tennis courts.
2. Resurface and repair the tennis courts, as needed, throughout license term.
3. Construct a grade beam to support tennis bubble(s).
4. Provide electric and another source of power to bubble blowers and all additional equipment, including installing new meters and panels.
5. Provide and install new air blowers for the new inflatable air structure(s)
6. Install air blowers for the inflatable air structure(s)
7. Provide pathway lighting as needed.
8. Provide new and improved landscaping, which may include new or relocated trees.
9. Provide a structural pad and utilities as needed for a temporary modular clubhouse structure.



Additionally, the concessionaire may propose to construct a permanent clubhouse building in lieu of a temporary modular structure. Design, location and programming for any new permanent or temporary structure on site is subject to Parks, Public Design Commission and Department of Buildings or any other agency having jurisdiction's prior approval.

In no event shall the concessionaire cause any threshold of the major concession rules, set forth in Title 62 of the Rules of the City of New York, Chapter 7, to be exceeded (unless Section 7-03 of such rules otherwise holds that a major concession has not been established) or require the filing of an Environmental Impact Statement. All components proposed must comport with appropriate use of parkland.

Americans with Disabilities Act (“ADA”) Compliance The concessionaire shall provide ADA accessibility as required by prevailing code throughout the Licensed Premises. The concessionaire shall comply with all City, State, and Federal requirements to provide safe and accessible recreational opportunities for everyone, including persons with disabilities. The concessionaire is encouraged to exceed accessibility requirements whenever possible, and not simply provide the minimum level required.

Permits, Licenses & Approvals If applicable the concessionaire will be responsible for obtaining all necessary permits, licenses and approvals from all City, State and Federal Agencies having jurisdiction for the operation, maintenance and performance of all capital improvements at the Licensed Premises including but not limited to DOB construction permits, DOB Public Assembly Permits, DOB Certificate of Occupancy or Letter of No Objection, approval from the Public Design Commission, DOHMH permits, fire department certificates, DEP permits, New York State Department of Environmental Conservation (NYS DEC) approvals, New York State Historic Preservation Office approvals, and New York City Landmarks Preservation Commission approvals. Additionally, all designs and construction to be performed on the structure shall be prepared by licensed architects or engineers and will require prior written approval from Parks. The concessionaire will be required to provide Parks with all plans and specifications upon completion of the construction documents.

Evaluation of Capital Investment & Design Please note that Parks will weigh capital investment and design in its evaluation process (for more information, please see the “Proposal Content Guidelines” section). 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 duration of each improvement. The timetable may use “phases” as a schedule. Also, please indicate whether you



plan to account for environmental considerations in your capital improvement and maintenance plan.

In compiling your capital submission, please be aware that the cost estimates provided in the successful proposal will become a minimum required capital expenditure in the License Agreement and the time frame proposed will become a mandatory capital schedule. In the event the concessionaire performs all capital improvements for less than the minimum required capital expenditure, any excess monies will be remitted to the City as additional License fees. If the concessionaire by the expiration or sooner termination of the License Agreement fails to expend the minimum capital expenditure required up to the date of expiration or sooner termination, the City may also require any unexpended monies to be remitted to the City as additional License fees. Therefore, please be realistic or even conservative in the investment and time frame you offer. All capital improvements and fixed equipment applied toward the proposer's capital investment become the property of Parks upon installation, at Parks' option. The concessionaire will also be required to supply all additional equipment and materials necessary for the successful operation of the concession which may include but is not limited to inflatable air structure(s), temporary clubhouse and all tennis equipment. Proposers should differentiate between equipment to be applied towards the minimum required capital expenditure versus personal expendable items in their proposals. Personal expendable items should not be considered capital. Capital Improvements shall not include routine maintenance and repairs required to be performed in the normal course of management and operation of the concession. For example, routine painting and repair of minor wear and tear is considered routine maintenance and would not be accepted as capital investment. Parks reserves the right to determine whether certain repairs and material purchases can be accepted as capital improvements. The concessionaire shall pay for all improvements. As a Parks concessionaire, you may request a sales tax waiver for all sales tax costs associated with the capital expenditures on your Parks concession. Therefore, no sales tax expenses will be accepted as part of capital submissions. Personal expendable items not applied toward the required capital expenditure will remain the property of the concessionaire. These personal expendable items should be listed separately in your proposal under the category of "Additional Investment."

Certificate of Occupancy The concessionaire will be required to operate and occupy the Licensed Premises in accordance with all applicable law and shall, at its sole cost and expense, obtain all licenses and permits that may be required to operate the Licensed Premises in accordance with applicable law, including any necessary Certificate(s) of Occupancy. Concessionaire shall at all times operate the Licensed Premises in accordance with the provisions of any required licenses or permits. In the event that, at the commencement date of the license agreement, the concessionaire does not have a Certificate of Occupancy because one is not legally required, then the concessionaire shall obtain a "Letter of No Objection" from the DOB. Furthermore, in the event that, at the commencement date of the license agreement, or at any time during the term of the license agreement, the concessionaire does not have a Certificate of Occupancy, where required, and does not have a "Letter of No Objection", the concessionaire may conduct its operations in temporary structures that have been approved by Parks. The concessionaire shall obtain any necessary licenses and permits for such temporary structures before the



commencement of operations. However, if in such situation, the concessionaire nonetheless chooses not to conduct such operations in temporary structures, then such operations shall not take place unless and until the concessionaire has obtained the necessary Certificate(s) of Occupancy, if required, or "Letter(s) of No Objection." Nothing in this section shall limit the concessionaire's obligation to pay the License Fees. Concessionaire is required to obtain a Temporary Certificate of Occupancy for the installation and operation of temporary structures. A Temporary Certificate of Occupancy shall be obtained for each season of the operating year.

Construction Security Deposit & Payment Bond At Parks' discretion, the concessionaire may be required to provide a construction security deposit, in an amount and format approved by Parks, to ensure that all capital work is completed. If required, this security deposit, preferably in the form of a letter of credit, must be in place before any capital work commences.

To guarantee prompt payment of moneys due to a contractor or his or her subcontractors and to all persons furnishing labor and materials to the contractor or his or her subcontractors in the prosecution of any Capital Improvement Project with an estimated cost exceeding two hundred fifty thousand dollars (\$250,000), Licensee shall post a payment bond or other form of undertaking approved by Parks in the amount of one hundred percent (100%) of the cost of such Capital Improvement Project before commencing such work. Such bond or other undertaking shall be in a form acceptable to Parks. For purposes of this provision, a "Capital Improvement Project" shall mean a set of Capital Improvements that are reasonably related in time and purpose as determined by Parks in its sole discretion.

Available Plans Available Plans Any available plans may be obtained from Parks' Document Services/Map File Center at the Olmsted Center in Flushing Meadows-Corona Park, Queens. To make an appointment, please contact Steve Rizick, Director of Document Services, at (718) 760-6798. There is a nominal fee for reproductions. Plans may also be downloaded on Parks' website by visiting <https://www.nycgovparks.org/opportunities/business/willowbrook-park-tennis> Parks makes no representations as to the availability, accuracy or completeness of these documents.

C. DESIGN REVIEW FEE

For Parks' Design review of the concessionaire's design documents, Parks will charge the concessionaire a fee ("Design Review Fee") which will be a percentage of the total cost of all capital improvements. "Total Cost" of such improvements will be the total amount stipulated in the license agreement. The fee is 1% of the total cost. Upon signing the License Agreement, the successful proposer will pay the Design Review Fee.

D. ADDITIONAL REQUIREMENTS DURING THE TERM OF LICENSE

1. The concessionaire will be required to develop, operate, and maintain the Licensed Premises as a concession for the use and enjoyment of the general public.



2. The concessionaire will be required to submit a security deposit of 25% of the highest year's guaranteed minimum license fee, which will be required for the duration of the term of the license. This security deposit, which may be in the form of an interest bearing account or other format approved by Parks, will be due upon signing.
3. The concessionaire will be required to carry Commercial General Liability insurance in at least Two Million Dollars (\$2,000,000) per occurrence, Five Million Dollars (\$5,000,000) aggregate, and statutory limits of Worker's Compensation, Employer's Liability and Disability Benefits Insurance. The Commercial General Liability insurance will be required to name the City of New York, including its officials and employees, as an additional insured with coverage at least as broad as Insurance Services Office (ISO) Form GC 20 26, and the City's limits will be no lower than concessionaire's. Unless otherwise approved in advance by Parks, the concessionaire shall carry Commercial Automobile Liability Insurance in the amount of One Million Dollars (\$1,000,000) for each accident combined single limit for liability arising out of ownership, maintenance or use of any owned, non-owned, or hired vehicles. The concessionaire shall maintain all-risk property insurance covering all buildings or structures on the property at a value determined by Parks.

In the event the concessionaire shall serve alcohol on the Licensed Premises, the Licensee shall carry or cause to be carried liquor law liability insurance in an amount not less than Two Million Dollars (\$2,000,000) per occurrence, and name the City as additional insured. Such insurance shall be effective prior to the commencement of any such service of alcohol and continue throughout such operations. In the event the Licensee shall permit sublicensees or others to serve alcohol on the Licensed Premises, the Licensee shall carry or cause each such person to carry liquor law liability insurance in an amount not less than Two Million Dollars (\$2,000,000) per occurrence, and name the City as additional insured. Such insurance shall be effective prior to the commencement of any service of alcohol by such person on the Licensed Premises and continue throughout such operations.

Proposers are on notice that the City may require other types of insurance and/or higher liability limits and other terms if, in the opinion of the Commissioner, the proposed concession warrants it.

4. The concessionaire will be required to submit monthly statements of gross receipts from all categories of income in a format approved by Parks. Within sixty (60) days following 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. The concessionaire will be required to maintain a revenue control system to ensure the accurate and complete recording of all revenues, as described under "Internal Controls" in Section II(A) above.



5. The concessionaire will be required to pay all taxes applicable to the operation of the concession. Gross receipts shall exclude the amount of any federal, state, or city sales taxes which are paid by the concessionaire.
6. The concessionaire will be responsible for regular pest control inspections and extermination, as needed. To the extent that the concessionaire applies pesticides to any property owned or leased by the City, concessionaire or any subcontractor hired by concessionaire shall comply with Chapter 12 of Title 17 of the New York City Administrative Code and limit the environmental impact of its pesticide use.
7. Prior to the commencement of any construction, the concessionaire shall have an asbestos inspection performed on the existing structures at the Licensed Premises to the extent required by the Department of Buildings or other applicable authority. In the event that asbestos removal is deemed necessary, the concessionaire will remove the asbestos according to City, State and Federal regulations.
8. The concessionaire will be prohibited from cutting down, pruning or removing any trees on the Licensed Premises without prior written approval from Parks. Any attachments to the trees, such as lights, will not be permitted.
9. The concessionaire will be required to cooperate with Parks during special and other unanticipated events.
10. Smoking of any tobacco product or electronic-cigarette is strictly prohibited at the Licensed Premises. Concessionaire shall adhere to and enforce this policy.
11. Pursuant to Parks' policy citywide, the concessionaire will be prohibited from selling any beverages in glass bottles. All beverages will be required to be in non-glass, shatter-proof containers. Also, the use of polystyrene packaging or food containers will be prohibited in the operation of the concession.
12. The selling and/or advertisement of cigarettes, electronic-cigarettes, cigars, or any other tobacco products are strictly prohibited. The concessionaire will be required to adhere to and enforce this policy.
13. The concessionaire will be required to retain a professional licensed engineer or registered architect approved by Parks 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 are required to submit the Engineer or Architect's qualifications to Parks for prior written approval.

14. For any vehicle fuel dispensing tanks or underground heating oil storage tanks over 1,100 gallon capacity, the concessionaire will be required to maintain up-to-date Petroleum Bulk Storage ("PBS") registrations with NYS DECS and register such tanks with the DEP. The concessionaire will assume all registration and update costs. The concessionaire must keep a copy of the PBS Certificate on site and provide copies to Parks' 5-Boro Office on Randall's Island, New York. The concessionaire will be required to perform or have performed a tightness test conducted at least once every five years, to comply with Parks monitoring leak detection checklists for the tank(s) and all other legal requirements. Any changes, removals or additions of tanks must be pre-approved by Parks. A useful web site for compliance issues is: <http://www.dec.ny.gov/chemical/287.html>
15. The concessionaire will be required to indemnify the City for claims arising out of the concessionaire's operations under the License Agreement, pursuant to a provision to be included in the License Agreement.
16. The concessionaire must obtain the prior written approval of Parks prior to entering into any marketing or sponsorship agreement. In the event that the concessionaire breaches this provision, the concessionaire shall take any action that the City may deem necessary to protect the City's interests.
17. The Earned Sick Time Act, also known as the Paid Sick Leave Law ("PSLL"), requires covered employees who annually perform more than 80 hours of work in New York City to be provided with paid sick time. Concessionaires of the City of New York [or of other governmental entities] may be required to provide sick time pursuant to the PSLL. Exhibit A, the Paid Sick Leave Law Rider, will be included in any concession agreement awarded from this RFP and will incorporate the PSLL as a material term of such agreement. Please read Exhibit A carefully.

III. THE RFP PROCESS/PROPOSAL PROCEDURE

A. PROPOSAL SUBMISSION INSTRUCTIONS



The proposal should be typed on both sides of 8 ½" X 11" paper. Pages should be paginated. The City of New York requests that all proposals be submitted on paper with no less than 30% post-consumer material content, i.e., the minimum recovered fiber content level for reprographic papers recommended by the United States Environmental Protection Agency (for any changes to that standard please consult: <https://www.epa.gov/smm/comprehensive-procurement-guidelines-paper-and-paper-products>). The proposer should state whether its response is printed on recycled paper containing the minimum percentage of recovered fiber content as requested by the City in these instructions. Failure to comply with any of the instructions set forth in this paragraph will not be considered non-responsive.

No proposals should be submitted in plastic sleeves or spiral binders. Illustrations may be included. All plans are subject to Parks' prior written 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. The proposal will be evaluated on the basis of its content, not length.

Please submit four (4) copies of your proposal (including four copies of all required attachments). The following information should be printed on the outside of the envelope:

Proposer's Name and Address

Solicitation #: R30-IT-2018

Proposal Due Date: Wednesday, March, 28th, 2018 at 3:00 pm

B. PROPOSAL SUBMISSION REQUIREMENTS

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

1. All proposers must submit a proposal that includes a fee offer for each year of the License term. At Parks' request, proposer shall submit documentation, satisfactory to Parks, demonstrating that it has the financial capability to pay the fees set forth in its proposal. Failure to provide such documentation will result in a determination of non-responsiveness
2. All proposers are required to submit as a proposal deposit a certified bank check, official bank check, money order, or cashier's check in the amount of \$10,000 with the proposal (payable to NYC Parks & Recreation). Personal or business checks will not be accepted. In the event of the failure of a successful proposer to execute a concession agreement in accordance with the terms of its proposal, the deposit shall be retained by the City unless the proposal has been permitted to be withdrawn. Proposal deposits will be returned to unsuccessful proposers after the concession agreement is signed with the successful proposer.



3. All proposals must be submitted in a sealed envelope and received in the office of the Revenue Division, City of New York Parks, The Arsenal-Central Park, 830 Fifth Avenue, Room 407, New York, New York 10065.
4. All proposals must be received March 28th, 2018 at 3:00 pm. Hand delivery to Room 407 before the deadline is recommended to ensure consideration of your proposals. **Proposals and modifications received after the time and date listed above will be considered late, will be returned to the proposer unopened and will not be considered for award, except as provided for in Section 1-13(j)(2)(i) of the Concession Rules.**
5. Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City is required to establish a computerized database containing the names of any "person" that has "business dealings with the city" as such terms are defined in the Local Law. In order for the City to obtain necessary information to establish the required database, proposers responding to this solicitation are required to complete the attached Doing Business Data Form and return it with this proposal and should do so in a separate envelope. (If the responding proposer is a proposed joint venture, the entities that comprise the proposed joint venture must each complete a Data Form.) If the City determines that a proposer has failed to submit a Data Form or has submitted a Data Form that is not complete, the proposer will be notified by the agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return a complete Data Form to the agency. Failure to do so will result in a determination that the proposal is non-responsive. Receipt of notification is defined as the day notice is e-mailed or faxed (if the proposer has provided an e-mail address or fax number), or no later than five (5) days from the date of mailing or upon delivery, if delivered.

New for 2018: Organizations which hold 10% or more ownership of the entity must now be reported. Beginning in January 2018, an entity must submit a DBDF that certifies whether one or more organizations own or control 10% or more of the entity. Until such a DBDF has been received by Doing Business Accountability, a DBDF submitted with a filing status of No Change will not be accepted. To determine if Doing Business Accountability has received such a certification from your entity, contact doingbusiness@mocs.nyc.gov or at 212-788-8104.

Doing Business Data Form with Agency Name and Transaction ID (i.e. PIN, Contract number, PO number, etc.) filled in, Proposal box checked and Transaction Type Indicated.



C. PROPOSAL CONTENT GUIDELINES

Each proposal is expected to include the following:

1. Fee Offer

- The fee offer should state the highest sum each proposer is prepared to pay as a license fee, expressed as guaranteed annual minimum fee versus a percentage of gross receipts, whichever is greater. The City urges that there be an escalation of at least five percent (5%) per year (compounded annually) in the guaranteed minimum fee over the license term

2. Operating Experience

- Proposers should submit a resume or detailed description of the proposer's professional qualifications, demonstrating extensive experience in the industry, including any work with City agencies, and/or access to individuals and/or firms with such expertise. Include the names and addresses of all corporate officers of the entity submitting the proposal. If any principal owner and/or officer of the submitting entity is currently or has been a principal officer of another entity or entities within the last five (5) years, that entity or entities (including applicable tax identification numbers) should be identified as well.
- Proposers should attach a list of at least three (3) recent relevant references, with whom the proposer has previously worked and/or who can describe such matters as the proposer's financial, operational and construction capability. One of the three references should be from a financial institution that has extended credit to the proposer. Include the name of the reference entity, a description of the nature of the listed reference's experience with the proposer and the name, title, address, and telephone number of a contact person at the reference entity.

3. Proposed Capital Investment, Improvements and Design

- Proposers should submit a detailed timetable describing all design, improvements and capital work. This timetable should clearly outline all intended improvements and investments, the projected cost of these improvements, and the anticipated duration of each improvement. The timetable may use "phases" as a schedule. An approximate time frame for each phase should be included.
- Proposers should submit a plan describing the extent to which proposed capital improvements and investments will take into account environmental considerations.



- Proposers should submit designs of the exterior and interior of the Licensed Premises, including dimensions, photographs and renderings. All final designs of the successful proposer must be approved by Parks and other pertinent agencies in writing before construction can commence.
- Parks will view favorably proposals that include “green building” design elements and encourages the use of environmentally friendly products for all repairs and capital improvements.

4. Planned Operations

- Proposers should submit a detailed operational plan for the entire Licensed Premises, including but not limited to intended use of the facility hours of operation, services to be provided, menu items and merchandise to be sold, whether ethnically diverse and/or healthy food choices will be provided, a detailed list of all proposed prices and rates, internal controls landscaping plans, maintenance, rubbish removal, and cleaning schedules, safety and security plans, any plans to install energy efficient appliances or appliances that have the Energy Star seal of approval and/or water conserving appliances, and any plans to use “Green Seal” or other environmentally friendly products or devices. All plans, schedules, services, menu items, merchandise, prices and rates, and hours of operation are subject to Parks’ prior written approval.
- Proposers should submit an estimated number of full-time and seasonal employees and the positions these employees will fill.
- Parks 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 measure customer satisfaction with the services offered by 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.
- Proposers should include a comprehensive pro-forma income and expense projection for each year of operation. This pro-forma projection should include explanations for all the assumptions used in its formulation.



- Parks will view favorably the installation of Energy Star approved appliances and equipment, such as vending machines and commercial refrigerators, at the Licensed Premises. Parks will also view favorably proposals that include plans to use “Green Seal” eco-friendly products such as soaps, cleaners, light bulbs, paper towels, toilet paper and paint.
 - Parks will view favorably proposals that demonstrate an awareness of the role of the concession as an integral part of the surrounding community. Parks will view favorably proposals that show a commitment to cooperate with and support park administrators, park users, and the community.
 - Parks will look favorably upon proposals that incorporate community programming and youth outreach.
 - Parks will view favorably proposals which include more time per week and/or courts dedicated for youth tennis programs than the minimum requirements.
 - Parks will view favorably proposals which incorporate ethnically diverse and/or healthy food choices, such as salads, fresh fruit, nuts, bottled water, juices, smoothies, etc.
5. Financial Capability
- Proposers should include a financial statement or statements prepared in accordance with standard accounting procedures. Financial statements should include, but are not limited to, annual income and net worth (assets and liabilities), including a breakdown of liquid and non-liquid assets. Proposers should include supporting documentation of their financial worth, including but not limited to Certified Financial Statements, Balance Sheets and Income Statements and tax returns from the past three (3) years (corporate and/or personal).
 - Proposers should identify the intended source of all funds proposed to be invested in the Licensed Premises.

PLEASE NOTE: All proposals should indicate how the proposer became aware of this concession opportunity (e.g. newspaper ad; mailing list, Parks website, etc).

IV. EVALUATION AND SELECTION PROCEDURES

Proposals will be evaluated by a selection committee composed of a minimum of three (3) Parks employees or Parks and other City employees



and, possibly, independent (non-government employed) professionals with relevant expertise, in accordance with procedures established by the Franchise and Concession Review Committee, based on the criteria listed below. The concession will be awarded to the proposer whose submission the selection committee judges best overall based on these criteria.

A. PROPOSAL EVALUATION CRITERIA

In evaluating proposals, the Selection Committee will use the following criteria:

Fee offer: see Section III(C)(1): 25%
Operating experience: see Section III (C)(2): 20%
Proposed capital investment, improvement and designs submitted: see Section III(C)(3): 20%
Planned operations: see Section III(C)(4): 20 %
Financial capability: see Section III(C)(5): 15%

B. EVALUATION PROCEDURES

Parks 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 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 will visit facilities operated by proposers.

V. OTHER GENERAL RFP REQUIREMENTS AND CONDITIONS

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

Proposers are advised that Parks has the option of selecting the proposer without conducting discussions or negotiations. Therefore, proposers should submit their best proposals initially, since discussions or negotiations may not take place.

Proposers are also advised that the award of this concession is subject to applicable provisions of federal, State, and local laws and executive orders requiring affirmative action and equal employment opportunity.

Proposers have the right to appeal a determination of non-responsiveness and/or non-responsibility and have the right to protest a solicitation and award as specified in Chapter 1 of Title 12 of the Rules of the City of New York.



All RFP submission materials become the property of the City of New York and Parks. 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.

Parks 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, 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.

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

Proposers should be aware that this concession will be developed and operated pursuant to a license agreement issued by Parks. In the event this agreement is terminated, Parks will not reimburse licensee's unamortized capital improvement costs.

A proposer may submit a modified proposal to replace all or any portion of a proposal submitted up until the proposal submission deadline. Parks will only consider the latest version of the proposal. Late proposals and late modifications will not be considered for evaluation, except as provided for in Section 1-13(j)(2)(i) of the Concession Rules. Proposers may withdraw their proposals from consideration at any time before the proposal submission deadline by submitting written notice to Parks. A proposer may not withdraw its proposal before the expiration of forty-five (45) calendar days after the date of the opening of proposals; thereafter a proposer may only withdraw its proposal by submitting written notice to Parks in advance of an actual grant of a concession.

Technical addenda issued by Parks will be the only authorized method for communicating clarifying information to all potential proposers. Proposers should contact the agency before submitting a proposal to verify that they have received any addenda issued. Proposers shall acknowledge the receipt of any addenda in their proposal submissions.

Proposers should be aware that, upon Parks' request, proposer(s) will be required complete an online Procurement and Sourcing Solutions Portal (PASSPort) Vendor and Principal Questionnaires (formerly known as Vendor Information Exchange System (VENDEX) forms) to the Mayor's Office of Contract Services (MOCS). In addition, any person or entity with at least a 10% ownership interest in the submitting vendor (including a parent company), is required to complete PASSPort Questionnaires (Principal Questionnaire for



any person and Vendor Questionnaire for any entity with at least a 10% ownership interest in the submitting vendor). The concession award will be subject to completion of the PASSPort questionnaires and review of certain information contained therein by the Department of Investigation. To submit the questionnaires to MOCS, create an account and submit the vendor enrollment package in PASSPort through the NYC website at <http://www.nyc.gov/passport>.

The New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that 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, New York 10007. This office may be reached at (212) 669-2323.

Mitchell J. Silver, FAICP
Commissioner



Exhibit A

PAID SICK LEAVE LAW CONCESSION AGREEMENT RIDER

Introduction and General Provisions

The Earned Sick Time Act, also known as the Paid Sick Leave Law (“PSLL”), requires covered employees who annually perform more than 80 hours of work in New York City to be provided with paid sick time.¹ Concessionaires of the City of New York or of other governmental entities may be required to provide sick time pursuant to the PSLL.

The PSLL became effective on April 1, 2014, and is codified at Title 20, Chapter 8, of the New York City Administrative Code. It is administered by the City’s Department of Consumer Affairs (“DCA”); DCA’s rules promulgated under the PSLL are codified at Chapter 7 of Title 6 of the Rules of the City of New York (“Rules”).

The Concessionaire agrees to comply in all respects with the PSLL and the Rules, and as amended, if applicable, in the performance of this agreement. The Concessionaire further acknowledges that such compliance is a material term of this agreement and that failure to comply with the PSLL in performance of this agreement may result in its termination.

The Concessionaire must notify the Concession Manager in writing within ten (10) days of receipt of a complaint (whether oral or written) regarding the PSLL involving the performance of this agreement. Additionally, the Concessionaire must cooperate with DCA’s education efforts and must comply with DCA’s subpoenas and other document demands as set forth in the PSLL and Rules.

The PSLL is summarized below for the convenience of the Concessionaire. The Concessionaire is advised to review the PSLL and Rules in their entirety. On the website www.nyc.gov/PaidSickLeave there are links to the PSLL and the associated Rules as well as additional resources for employers, such as Frequently Asked Questions, timekeeping tools and model forms, and an event calendar of upcoming presentations and webinars at which the Concessionaire can get more information about how to comply with the PSLL. The Concessionaire acknowledges that it is responsible for compliance with the PSLL notwithstanding any inconsistent language contained herein.

Pursuant to the PSLL and the Rules:

Applicability, Accrual, and Use

An employee who works within the City of New York for more than eighty hours in any consecutive 12-month period designated by the employer as its “calendar year” pursuant to the PSLL (“Year”) must be provided sick time.

1

Pursuant to the PSLL, if fewer than five employees work for the same employer, as determined pursuant to New York City Administrative Code §20-912(g), such employer has the option of providing such employees uncompensated sick time.



Employers must provide a minimum of one hour of sick time for every 30 hours worked by an employee and compensation for such sick time must be provided at the greater of the employee's regular hourly rate or the minimum wage. Employers are not required to provide more than forty hours of sick time to an employee in any Year.

An employee has the right to determine how much sick time he or she will use, provided that employers may set a reasonable minimum increment for the use of sick time not to exceed four hours per day. In addition, an employee may carry over up to forty hours of unused sick time to the following Year, provided that no employer is required to allow the use of more than forty hours of sick time in a Year or carry over unused paid sick time if the employee is paid for such unused sick time and the employer provides the employee with at least the legally required amount of paid sick time for such employee for the immediately subsequent Year on the first day of such Year.

An employee entitled to sick time pursuant to the PSLL may use sick time for any of the following:

- such employee's mental illness, physical illness, injury, or health condition or the care of such illness, injury, or condition or such employee's need for medical diagnosis or preventive medical care;
- such employee's care of a family member (an employee's child, spouse, domestic partner, parent, sibling, grandchild or grandparent, or the child or parent of an employee's spouse or domestic partner) who has a mental illness, physical illness, injury or health condition or who has a need for medical diagnosis or preventive medical care;
- closure of such employee's place of business by order of a public official due to a public health emergency; or
- such employee's need to care for a child whose school or childcare provider has been closed due to a public health emergency.

An employer must not require an employee, as a condition of taking sick time, to search for a replacement. However, an employer may require an employee to provide: reasonable notice of the need to use sick time; reasonable documentation that the use of sick time was needed for a reason above if for an absence of more than three consecutive work days; and/or written confirmation that an employee used sick time pursuant to the PSLL. However, an employer may not require documentation specifying the nature of a medical condition or otherwise require disclosure of the details of a medical condition as a condition of providing sick time and health information obtained solely due to an employee's use of sick time pursuant to the PSLL must be treated by the employer as confidential.

If an employer chooses to impose any permissible discretionary requirement as a condition of using sick time, it must provide to all employees a written policy containing those requirements, using a delivery method that reasonably ensures that employees receive the policy. If such employer has not provided its written policy, it may not deny sick time to an employee because of non-compliance with such a policy.

Sick time to which an employee is entitled must be paid no later than the payday for the next regular payroll period beginning after the sick time was used.



Exemptions and Exceptions

Notwithstanding the above, the PSLL does not apply to any of the following:

- an independent contractor who does not meet the definition of employee under section 190(2) of the New York State Labor Law;
- an employee covered by a valid collective bargaining agreement in effect on April 1, 2014 until the termination of such agreement;
- an employee in the construction or grocery industry covered by a valid collective bargaining agreement if the provisions of the PSLL are expressly waived in such collective bargaining agreement;
- an employee covered by another valid collective bargaining agreement if such provisions are expressly waived in such agreement and such agreement provides a benefit comparable to that provided by the PSLL for such employee;
- an audiologist, occupational therapist, physical therapist, or speech language pathologist who is licensed by the New York State Department of Education and who calls in for work assignments at will, determines his or her own schedule, has the ability to reject or accept any assignment referred to him or her, and is paid an average hourly wage that is at least four times the federal minimum wage;
- an employee in a work study program under Section 2753 of Chapter 42 of the United States Code;
- an employee whose work is compensated by a qualified scholarship program as that term is defined in the Internal Revenue Code, Section 117 of Chapter 20 of the United States Code; or
- a participant in a Work Experience Program (WEP) under section 336-c of the New York State Social Services Law.

Retaliation Prohibited

An employer may not threaten or engage in retaliation against an employee for exercising or attempting in good faith to exercise any right provided by the PSLL. In addition, an employer may not interfere with any investigation, proceeding, or hearing pursuant to the PSLL.

Notice of Rights

An employer must provide its employees with written notice of their rights pursuant to the PSLL. Such notice must be in English and the primary language spoken by an employee, provided that DCA has made available a translation into such language. Downloadable notices are available on DCA's website at <http://www.nyc.gov/html/dca/html/law/PaidSickLeave.shtml>.

Any person or entity that willfully violates these notice requirements is subject to a civil penalty in an amount not to exceed fifty dollars for each employee who was not given appropriate notice.

Records

An employer must retain records documenting its compliance with the PSLL for a period of at least three years, and must allow DCA to access such records in furtherance of an investigation related to an alleged violation of the PSLL.



Enforcement and Penalties

Upon receiving a complaint alleging a violation of the PSSL, DCA has the right to investigate such complaint and attempt to resolve it through mediation. Within 30 days of written notification of a complaint by DCA, or sooner in certain circumstances, the employer must provide DCA with a written response and such other information as DCA may request. If DCA believes that a violation of the PSSL has occurred, it has the right to issue a notice of violation to the employer.

DCA has the power to grant an employee or former employee all appropriate relief as set forth in New York City Administrative Code 20-924(d). Such relief may include, among other remedies, treble damages for the wages that should have been paid, damages for unlawful retaliation, and damages and reinstatement for unlawful discharge. In addition, DCA may impose on an employer found to have violated the PSSL civil penalties not to exceed \$500 for a first violation, \$750 for a second violation within two years of the first violation, and \$1,000 for each succeeding violation within two years of the previous violation.

More Generous Policies and Other Legal Requirements

Nothing in the PSSL is intended to discourage, prohibit, diminish, or impair the adoption or retention of a more generous sick time policy, or the obligation of an employer to comply with any contract, collective bargaining agreement, employment benefit plan or other agreement providing more generous sick time. The PSSL provides minimum requirements pertaining to sick time and does not preempt, limit or otherwise affect the applicability of any other law, regulation, rule, requirement, policy or standard that provides for greater accrual or use by employees of sick leave or time, whether paid or unpaid, or that extends other protections to employees. The PSSL may not be construed as creating or imposing any requirement in conflict with any federal or state law, rule or regulation.

What is the purpose of the Doing Business Data Form (DBDF)?

To collect accurate, up-to-date identification information about organizations that have business dealings with the City of New York in order to comply with Local Law 34 of 2007 (LL 34), a campaign finance reform law. LL 34 limits municipal campaign contributions from principal officers, owners and senior managers of entities doing business with the City and mandates the creation of a Doing Business Database to allow the City to enforce the law. The information requested in this DBDF must be provided, regardless of whether the organization or the people associated with it make or intend to make campaign contributions. No sensitive personal information collected will be disclosed to the public.

Why have I received this DBDF?

The contract, franchise, concession, grant or economic development agreement you are proposing on, applying for or have already been awarded is considered a business dealing with the City under LL 34. No proposal or application will be considered and no award will be made unless this DBDF is completed. Most transactions valued at more than \$5,000 are considered business dealings and require completion of the Doing Business Data Form. Exceptions include transactions awarded on an emergency basis or by "conventional" competitive sealed bid (i.e. bids that do not use a prequalified list or "Best Value" selection criteria.) Other types of transactions that are considered business dealings include real property and land use actions with the City.

What individuals will be included in the Doing Business Database?

The principal officers, owners and certain senior managers of organizations listed in the Doing Business Database are themselves considered to be doing business with the City and will be included in the Database.

- **Principal Officers** are the Chief Executive Officer (CEO), Chief Financial Officer (CFO) and Chief Operating Officer, or their functional equivalents. See the DBDF for examples of titles that apply.
- **Principal Owners** are individuals who own or control 10% or more of the organization. This includes stockholders, partners and anyone else with an ownership or controlling interest in the entity.
- **Senior Managers** include anyone who, either by job title or actual duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any contract, concession, franchise, grant or economic development agreement with the City. At least one Senior Manager must be listed or the Data Form will be considered incomplete.

NEW FOR 2018: As of January 2018, the DBDF must report organizations, as well as individuals, that own 10% or more of the entity. A DBDF with such a certification, filed as a full (never filed before) or as a change form, must be submitted before an entity can then file a DBDF that indicates no changes since the previous form. Contact DBA at 212-788-8104 or at doingbusiness@mocs.nyc.gov to inquire if DBA has received such a form.

I have already completed a Doing Business Data Form, do I have to submit another one?

Yes. An organization is required to submit a DBDF each time it enters into a transaction considered a business dealing with the City, including contract, concession and franchise proposals. However, the DBDF has both a Change option, which requires only information that has changed since the last DBDF was filed, and a No Change option. No organization should have to fill out the entire DBDF more than once.

If you have already submitted a DBDF for one transaction type (such as a contract), and this is the first time you are completing a DBDF for a different transaction type (such as a grant), please select the Change option and complete Section 4 (Senior Managers) for the new transaction type.

Will the personal information on the DBDF be available to the public?

No. The names and titles of the officers, owners and senior managers reported on the DBDF will be made available to the public, as will information about the organization itself. However, personal identifying information, such as home address and date of birth, will not be disclosed to the public, and home address will not be used for communication purposes.

I provided some of this information in PASSPort; do I have to provide it again?

Yes. Although a Doing Business Data Form and PASSPort request some of the same information, they serve entirely different purposes. In addition, the DBDF requests information concerning senior managers, which is not in PASSPort.

What organizations will be included in the Doing Business Database?

Organizations that hold \$100,000 or more in grants, contracts for goods or services, franchises or concessions (\$500,000 for construction contracts), or that hold any economic development agreement or pension fund investment contract, are considered to be doing business with the City for the purposes of LL 34. Because all of the business that an organization does or proposes to do with the City will be added together, the DBDF must be completed for all transactions valued at more than \$5,000 even if the organization doesn't currently do enough business with the City to be listed in the Database.

No one in my organization plans to contribute to a candidate; do I have to fill out this DBDF?

Yes. All organizations are required to return this DBDF with complete and accurate information, regardless of the history or intention of the entity or its officers, owners or senior managers to make campaign contributions. The Doing Business Data Form must be complete so that the Campaign Finance Board can verify whether future contributions are in compliance with the law.

My organization is proposing on a contract with another firm as a Joint Venture that does not exist yet; how should the Data Form be completed?

A joint venture that does not yet exist must submit a DBDF for each of its component firms. If the joint venture receives the award, it must then complete a form in the name of the joint venture.

How long will an organization and its officers, owners and senior managers remain listed on the Doing Business Database?

- **Contract, Concession and Economic Development Agreement holders:** generally for the term of the transaction, plus one year.
- **Franchise and Grant holders:** from the commencement or renewal of the transaction, plus one year.
- **Pension investment contracts:** from the time of presentation on an investment opportunity or the submission of a proposal, whichever is earlier, until the end of the contract, plus one year.
- **Line item and discretionary appropriations:** from the date of budget adoption until the end of the contract, plus one year.
- **Contract proposers:** for one year from the proposal date or date of public advertisement of the solicitation, whichever is later.
- **Franchise and Concession proposers:** for one year from the proposal submission date.

For information on other transaction types, contact the Doing Business Accountability Project.

How does a person remove him/herself from the Doing Business Database?

When an organization stops doing business with the City, the people associated with it are removed from the Database automatically. However, any person who believes that s/he should not be listed may apply for removal. Reasons that a person would be removed include his/her no longer being the principal officer, owner or senior manager of the organization. Organizations may also update their database information by submitting an update form. Removal Request and Update forms are available online <https://www1.nyc.gov/site/mocs/resources/forms.page> or by calling 212-788-8104.

What are the campaign contribution limits for people doing business with the City?

Contributions to City Council candidates are limited to \$250 per election cycle; \$320 to Borough President candidates; and \$400 to candidates for citywide office. Please contact the NYC Campaign Finance Board for more information at www.nyccfb.info, or 212-306-7100.

The DBDF is to be returned to the City office that issued it.

If you have any questions about the Doing Business Data Form please contact the Doing Business Accountability Project at 212-788-8104 or doingbusiness@mocs.nyc.gov.

To be completed by the City agency prior to distribution Agency _____ Transaction ID _____

Check One

Transaction Type (check one)

- Proposal Award Concession Economic Development Agreement Franchise Grant Pension Investment Contract Contract

Any entity receiving, applying for or proposing on an award or agreement must complete a Doing Business Data Form (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink, and be sure to fill out the certification box on the last page. **Submission of a complete and accurate form is required for a proposal to be considered responsive or for any entity to receive an award or enter into an agreement.**

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York, as will the organizations that own 10% or more of the entity. No other information reported on this form will be disclosed to the public. **This Data Form is not related to the City's PASSPort registration or VENDEX requirements.**

Please return the completed Data Form to the City office that supplied it. Please contact the Doing Business Accountability Project at DoingBusiness@mocs.nyc.gov or 212-788-8104 with any questions regarding this Data Form. Thank you for your cooperation.

Entity Information

If you are completing this form by hand, please print clearly.

Entity EIN/TIN _____ Entity Name _____

Filing Status

(Select One)

NEW: Data Forms submitted now must include the listing of **organizations**, as well as individuals, with 10% or more ownership of the entity. Until such certification of ownership is submitted through a change, new or update form, a no change form will not be accepted.

- Entity has never completed a Doing Business Data Form. Fill out the entire form.
 Change from previous Data Form dated _____. Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the entity.
 No Change from previous Data Form dated _____. Skip to the bottom of the last page.

Entity is a Non-Profit Yes No

Entity Type Corporation (any type) Joint Venture LLC Partnership (any type) Sole Proprietor Other (specify) _____

Address _____

City _____ State _____ Zip _____

Phone _____ E-mail _____

Provide your e-mail address in order to receive notices regarding this form by e-mail.

Principal Officers

Please fill in the required identification information for each officer listed below. If the entity has no such officer or its equivalent, please check "This position does not exist." If the entity is filing a Change Form and the person listed is replacing someone who was previously disclosed, please check "This person replaced..." and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

Chief Executive Officer (CEO) or equivalent officer

This position does not exist

The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.

First Name _____ MI _____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

This person replaced former CEO _____ on date _____

Chief Financial Officer (CFO) or equivalent officer

This position does not exist

The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.

First Name _____ MI _____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

This person replaced former CFO _____ on date _____

Chief Operating Officer (COO) or equivalent officer

This position does not exist

The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.

First Name _____ MI _____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

This person replaced former COO _____ on date _____

Principal Owners

Please fill in the required identification information for all individuals or organizations that, through stock shares, partnership agreements or other means, **own or control 10% or more of the entity**. If no individual or organization owners exist, please check the appropriate box to indicate why and skip to the **Senior Managers** section. If the entity is owned by other companies that control 10% or more of the entity, those companies must be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list any individuals or organizations that are no longer owners at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

- The entity is not-for-profit
- The entity is an individual
- No individual or organization owns 10% or more of the entity

Other (explain) _____

Individual Owners (who own or control 10% or more of the entity)

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

Organization Owners (that own or control 10% or more of the entity)

Organization Name _____

Organization Name _____

Organization Name _____

Remove the following previously-reported Principal Owners

Name _____ Removal Date _____

Name _____ Removal Date _____

Name _____ Removal Date _____

Senior Managers

Please fill in the required identification information for all senior managers who oversee any of the entity's relevant transactions with the City (e.g., contract managers if this form is for a contract award/proposal, grant managers if for a grant, etc.). Senior managers include anyone who, either by title or duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any transaction with the City. At least one senior manager must be listed, or the Data Form will be considered incomplete. If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

Senior Managers

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

Remove the following previously-reported Senior Managers

Name _____ removal date _____

Name _____ removal date _____

Certification

I certify that the information submitted on these two pages and _____ additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the entity being found non-responsible and therefore denied future City awards.

Name _____ Title _____

Entity Name _____ Work Phone # _____

Signature _____ Date _____



BENJAMIN J. KALLOS
NEW YORK CITY COUNCIL MEMBER
DISTRICT 5, MANHATTAN

EXHIBIT

NYC OpenData: Directory of Tennis Courts

Data Provided: Department of Parks and Recreation (DPR) Updated: December 8, 2017

ns1:Prop_ID	ns1:Name	ns1:Location	ns1:Phone	ns1:Courts	ns1:Indoor_Outdoor	ns1:Tennis_Type	ns1:Accessible
X002	Bronx Park	Bronx Park East and Brady Ave.	(718) 430-1821	6	Outdoor	Hard	N
X010	Cary Leeds Tennis Center at Crotona Park	E. 173d St. and Crotona Ave.	(718) 247-7420	22	Indoor	Hard	Y
X196	Haffen Park	Hammersley, Ely, and Gunther Aves.	(718) 379-8347	6	Outdoor	Hard	Y
X039	Pelham Bay Park	Bruckner Blvd. and Middletown Rd.	(718) 885-3442	10	Outdoor	Hard	N
X201	Seton Park	W. 232nd to 235th St., Palisade and Independence Aves.	(718) 601-6044	6	Outdoor	Hard	N
X044	St. James Park	Jerome Ave. and E. 193d St.	(718) 822-4271	4	Outdoor	Hard	Y
X045	St. Mary's Park	E. 145 St. and St. Ann's Ave.	(718) 402-5161	2	Outdoor	Hard	Y
X092	Van Cortlandt Park	Stadium - W. 242nd St. and Broadway	(718) 549-6494	10	Outdoor	Hard	Y
X092	Van Cortlandt Park	Woodlawn, W. 233rd St. & Jerome Ave.	(718) 549-6494	8	Outdoor	Hard	Y
X104	Williamsbridge Oval	E. 208th St. and Bainbridge Ave.	(718) 654-1851	8	Outdoor	Hard	N
X039	Orchard Beach	1 Orchard Beach Road	(718) 885-3247	4	Outdoor	Hard	N
B007	Bensonhurst Park	Cropsey Ave. & Bay Pkwy.	(718) 259-4016	8	Outdoor	Hard	N
B215	Decatur Playground	Decatur bet. Summer and Lewis Aves.	(718) 493-7612	1	Outdoor	Hard	N
B028	Lucille Ferrera Tennis Courts (Dyker Beach Park)	Cropsey Avenue, Bay 8th Street and Poly Place	(718) 259-4016	9	Outdoor	Hard	Y
B032	Ft. Greene Park	DeKalb & S. Portland Aves.	(718) 722-3218	6	Outdoor	Hard	N
B372	Friends Field	Ave. L & East 4th St.	(718) 965-6502	2	Outdoor	Hard	Y
B294	Jackie Robinson	Malcolm X. Blvd. & Chauncey St.	(718) 622-0025	4	Outdoor	Hard	N
B210W	J.J. Carty	95 Street & Fort Hamilton Pkwy.	(718) 439-4296	10	Outdoor	Hard	N
B166D	Joseph T. McGuire Park	Avenue W and Bergen		3	Outdoor	Hard	Y
B129	Kaiser Playground	Neptune Ave. & W. 25th St.	(718) 946-1357	12	Outdoor	Hard	Y
B157	Kelly Playground	Ave. S & E.14th St.	(718) 946-5913	7	Outdoor		N
B052	Leif Ericson Park	8th Ave. & 66th St.	(718) 259-4016	9	Outdoor	Hard	N
B054	Lincoln Terrace Park	Buffalo & Rochester Aves.	(718) 804-7077	11	Outdoor	Hard	N
B214	Linden Playground	Linden Blvd. & Vermont St.	(718) 927-2059	8	Outdoor	Hard	N
B251	Manhattan Beach	Oriental Blvd.	(718) 646-5913	6	Outdoor	Hard	Y
B057	Marine Park	Fillmore Ave. & Stuart St.	(718) 376-1675	15	Outdoor	Hard	Y
B058	McCarren Tennis Center	North 13th Street Between Berry Street and Bedford Avenue	(347) 873-9698	7	Indoor	Hard	N
B244	McDonald Avenue Playground	McDonald Ave. & Ave. S	(718) 946-1373	7	Outdoor	Hard	N
B060	McKinley Park	7th Ave. & 75th St.	(718) 259-4016	8	Outdoor	Hard	Y
B050	One Van Voorhees Park	Pacific, Congress and Hicks Streets	(718) 722-3213	2	Outdoor	Hard	N

NYC OpenData: Directory of Tennis Courts

Data Provided: Department of Parks and Recreation (DPR) Updated: December 8, 2017

ns1:Prop_ID	ns1:Name	ns1:Location	ns1:Phone	ns1:Courts	ns1:Indoor_Outdoor	ns1:Tennis_Type	ns1:Accessible
B073	Prospect Park Tennis Center	Parkside Ave at the Parade Ground	(718) 436-2500	11	Outdoor	Clay	N
B082	Shore Road Playground	Shore Rd. & 95th St.	(718) 259-4016	4	Outdoor	Hard	N
M010	Central Park	93d St. near West Drive	(212) 280-0206	4	Outdoor	Hard	N
M010	Central Park	93d St. near West Drive	(212) 280-0206	26	Outdoor	Fast Dry	N
M144	Brian Watkins Tennis Center	At Houston St. (walk east over FDR Drive)	(212) 219-0258	12	Outdoor	Hard	N
M028	Fort Washington Park	Hudson River at 170th St.	(212) 304-2322	10	Outdoor	Hard	N
M159	Frederick Johnson Playground	151st St. east of 7th Ave.	(212) 234-9609	8	Outdoor	Hard	N
M042	Inwood Hill Park	207th St. and Seaman Ave.	(212) 304-2381	9	Outdoor	Hard	Y
M071	Riverside Park	Riverside Drive and W. 96th St.	(212) 978-0277	10	Outdoor	Clay	N
M071	Riverside Park	Riverside Drive and W. 119th St.	(212) 978-0277	10	Outdoor	Hard	Y
Q004	Astoria Park	21st St. & Hoyt Ave.	(718) 626-8136	14	Outdoor	Hard	N
Q005	Baisley Park	155th St. & 118th Ave.	(718) 352-4793	4	Outdoor	Hard	N
Q005	Baisley South	N. Conduit Ave. & 150th St.	(718) 352-4793	4	Outdoor	Hard	N
Q460	Broad Channel Park	Crossbay Blvd. and E. 16-E. 18 Rds.	(718) 318-4000	2	Outdoor	Hard	N
Q008	Brookville Park	Brookville Blvd. & Southern Pkwy.	(718) 255-2620	6	Outdoor	Hard	N
Q012	Crocheron Park	215th Place & 33rd Ave.	(718) 225-2620	10	Outdoor	Hard	Y
Q121	Det. Keith L. Williams Park	Liberty Ave. & 173rd St.	(718) 352-4793	10	Outdoor	Hard	Y
Q086	Flushing Fields Memorial	149th St. & 25th Ave.	(718) 359-1297	8	Outdoor	Hard	N
Q015	Forest Park	Park Lane South & 89th St.	(718) 235-5871	14	Outdoor	Hard	Y
Q020	Highland Park- Lower Playground	Elton St. & Jamaica Ave.	(718) 235-5871	18	Outdoor	Hard	N
Q102	Juniper Valley Park	62nd Ave. & 80th St.	(718) 326-2877	8	Outdoor	Hard	N
Q024	Kissena Park	Rose & Oak Aves.	(718) 359-1297	4	Outdoor	Hard	Y
Q024	Kissena Park	Rose & Oak Aves.	(718) 359-1297	8	Outdoor	Hartro	Y
Q369	Louis Pasteur Park	52 Ave. & Marathon Pkwy.		2	Outdoor	Hard	N
Q007	Michaelis Bayswater Park	32nd St. & Dickens Ave.	(718) 318-4000	6	Outdoor	Hard	N
Q131	Maurice Park	Maurice Ave., LIE Service Rd. Westbound	(718) 326-2877	2	Outdoor	Hard	N
Q092	Police Officer Edward Byrne Park	North Conduit Ave. & 134-135 Street	(718) 352-4793	4	Outdoor	Hard	N
Q371	Rockaway Community Park	Alamdea Ave. btwn B51 & B56	(718) 318-4000	3	Outdoor	Hard	N
Q448	Roy Wilkins Park	Merrick Blvd. & 119 Ave.	(718) 276-8690	4	Outdoor	Hard	N
Q107	Springfield Park	147 Ave. & Springfield Ave.	(718) 225-2620	2	Outdoor	Hard	N
Q051	St. Albans Park	Merrick Blvd. & 172nd St.	(718) 352-4793	2	Outdoor	Hard	N
Q413	Victor Hanson Community Center (Rochdale Park)	Guy Brewer Blvd. & 134th Ave.	(718) 978-1536	6	Outdoor	Hard	N
Q303	Travers Park	77 & 78 Sts. at 34 Ave. & Northern Blvd	(718) 426-4347	1	Outdoor	Hard	N
Q373	East Elmhurst (PS 127)	25 Ave. & 98 St.-100 St.	(718) 426-4347	1	Outdoor	Hard	N
Q099	Flushing Meadows Corona Park	Flushing Meadows Corona Park	(718) 760-6999	11	Outdoor	Hard	Y
R123	Skyline Park	Arnold St. & Prospect Ave.	(718) 667-3545	2	Outdoor	All Weather	N
R022	Silver Lake Park	Hart Blvd. & Revere St.	(718) 667-3545	4	Outdoor	All Weather	N
R015	Walker Park	Bard Ave. & Delafield Place	(718) 667-3545	6	Outdoor	All Weather	N

NYC OpenData: Directory of Tennis Courts

Data Provided: Department of Parks and Recreation (DPR) Updated: December 8, 2017

ns1:Prop_ID	ns1:Name	ns1:Location	ns1:Phone	ns1:Courts	ns1:Indoor_Outdoor	ns1:Tennis_Type	ns1:Accessible
R030	Willowbrook Park	Richmond Ave. & Eton Place	(718) 667-3545	6	Outdoor	All Weather	Y
R031	Wolfe's Pond Park	Cornelia Ave., off of Hylan Blvd.	(718) 667-3545	2	Outdoor	All Weather	Y
M104	Sportime at Randall's Island	Randall's Island Park	(212) 427-6150	20	Indoor	Hard	N
M070	Sutton Tennis at Queensboro Oval	York Ave. Between E 59 St. & E 60 St.	(212) 751-3452	8	Indoor	Clay	Y
Q001A	Alley Pond Tennis Center	Queens Village 79-20 Winchester Boulevard	(718) 264-2600	16	Indoor	Hard	N
Q021	Cunningham Tennis Center	Fresh Meadows 196-00 Union Turnpike	(718) 740-6800	20	Indoor	Hard	N
R129	Greenbelt Recreation Center	501 Brielle Avenue	(718) 667-3545	2	Outdoor	Hard	Y
X344	Stadium Tennis Center at Mill Pond Park	Gateway Center Boulevard (Exterior Street) and East 150th Street	(718) 665-4684	16	Indoor	Hard	Y
B407	South Oxford Park	Cumberland Street between Atlantic Commons and Atlantic Avenue		2	Outdoor	Hard	
X210	Governor Smith Playground	Morris Avenue between E. 151 and E. 153 Streets		3	Outdoor	Hard	
M308	Washington Market Park	Chambers St. & West St.		1	Outdoor	Hard	
B025	Cooper Park Tennis Courts	Morgan Ave, between Maspeth Ave and Sharon St		2	Outdoor	Hard	N

NYC OpenData: Directory of Tennis Courts

Data Provided: Department of Parks and Recreation (DPR) Updated: December 8, 2017

ns1:Prop_ID	ns1:Name	ns1:Info	ns1:lat	ns1:lon
X002	Bronx Park		40.8511	-73.8704
X010	Cary Leeds Tennis Center at Crotona Park	Lessons are offered. During the indoor season (The day after Columbus Day – April 27), there are 10 outdoor courts available, and 10 courts are bubbled and can be rented for a fee. During the outdoor season, there are 15 courts available to Parks tennis permit holders. For booking courts and program information please call or visit Cary Leeds Tennis Center's website for more information.	40.8394	-73.8951
X196	Haffen Park		40.874	-73.84
X039	Pelham Bay Park			
X201	Seton Park	Lessons Offered	40.8853	-73.9164
X044	St. James Park		40.8656	-73.8972
X045	St. Mary's Park			
X092	Van Cortlandt Park			
X092	Van Cortlandt Park			
X104	Williamsbridge Oval		40.8782	-73.8777
X039	Orchard Beach			
B007	Bensonhurst Park			
B215	Decatur Playground		40.6814	-73.9363
B028	Lucille Ferrera Tennis Courts (Dyker Beach Park)		40.6063	-74.0166
B032	Ft. Greene Park	Lessons Offered	40.6906	-73.9757
B372	Friends Field		40.6184	-73.9722
B294	Jackie Robinson		40.6803	-73.9278
B210W	J.J. Carty		40.6115	-74.0316
B166D	Joseph T. McGuire Park		40.62	-73.8987
B129	Kaiser Playground	Lessons Offered	40.5785	-73.9946
B157	Kelly Playground	Lessons Offered		
B052	Leif Ericson Park	Lessons Offered	40.6319	-74.0137
B054	Lincoln Terrace Park	Lessons Offered	40.6665	-73.9255
B214	Linden Playground		40.6584	-73.887
B251	Manhattan Beach	Lessons Offered	40.5777	-73.9399
B057	Marine Park	Lessons Offered	40.6079	-73.935
B058	McCarren Tennis Center	Lessons are offered. All 7 courts are bubbled during the indoor season (the day after Columbus Day- April 27) and may be rented for a fee. During the outdoor season, there are 6 courts available to Parks tennis permit holders. For bookings or for more information about tennis at McCarren Park, please email nycmccarrentennis@gmail.com, or visit mccarrentennis.net.	40.7218	-73.9547
B244	McDonald Avenue Playground		40.6	-73.9722
B060	McKinley Park	Lessons Offered		
B050	One Van Voorhees Park		40.6898	-74.0001

NYC OpenData: Directory of Tennis Courts

Data Provided: Department of Parks and Recreation (DPR) Updated: December 8, 2017

ns1:Prop_ID	ns1:Name	ns1:Info	ns1:lat	ns1:lon
B073	Prospect Park Tennis Center	Lessons are available. During the indoor season (October 23-May 6), there are 11 bubbled courts that may be rented for a fee. During the outdoor season, 8 courts are available to Parks tennis permit holders. For more information, visit the Prospect Park Alliance tennis page.	40.6513	-73.97
B082	Shore Road Playground	Lessons Offered	40.6125	-74.037
M010	Central Park	Lessons Offered		
M010	Central Park	Lessons Offered		
M144	Brian Watkins Tennis Center	Lessons Offered	40.7156	-73.975
M028	Fort Washington Park	Lessons Offered	40.8488	-73.9462
M159	Frederick Johnson Playground	Lessons Offered	40.825	-73.9356
M042	Inwood Hill Park	Lessons Offered	40.8697	-73.9217
M071	Riverside Park			
M071	Riverside Park	Lessons Offered; contact Dave Kardas at (212) 634-9124 or yourserve@msn.com for more information.		
Q004	Astoria Park	Lessons Offered	40.7756	-73.9243
Q005	Baisley Park		40.6808	-73.7872
Q005	Baisley South		40.6696	-73.7884
Q460	Broad Channel Park		40.6005	-73.8196
Q008	Brookville Park	Lessons Offered	40.6614	-73.7442
Q012	Crocheron Park	Lessons Offered		
Q121	Det. Keith L. Williams Park		40.7035	-73.7849
Q086	Flushing Fields Memorial			
Q015	Forest Park		40.6976	-73.8557
Q020	Highland Park- Lower Playground	10 full courts, 8 36-foot youth courts.	40.6836	-73.8884
Q102	Juniper Valley Park	Lessons Offered	40.7204	-73.876
Q024	Kissena Park	Lessons Offered		
Q024	Kissena Park	Lessons Offered		
Q369	Louis Pasteur Park		40.7617	-73.735
Q007	Michaelis Bayswater Park		40.5986	-73.7683
Q131	Maurice Park		40.7274	-73.904
Q092	Police Officer Edward Byrne Park		40.6672	-73.8071
Q371	Rockaway Community Park		40.5985	-73.7835
Q448	Roy Wilkins Park		40.686	-73.77
Q107	Springfield Park		40.6598	-73.7623
Q051	St. Albans Park		40.6939	-73.7801
Q413	Victor Hanson Community Center (Rochdale Park)		40.6744	-73.7739
Q303	Travers Park		40.7539	-73.8891
Q373	East Elmhurst (PS 127)		40.7651	-73.8707
Q099	Flushing Meadows Corona Park			
R123	Skyline Park		40.6396	-74.0898
R022	Silver Lake Park	Lessons Offered	40.6278	-74.0996
R015	Walker Park	Lessons Offered	40.6433	-74.1087

NYC OpenData: Directory of Tennis Courts

Data Provided: Department of Parks and Recreation (DPR) Updated: December 8, 2017

ns1:Prop_ID	ns1:Name	ns1:Info	ns1:lat	ns1:lon
R030	Willowbrook Park		40.6038	-74.1613
R031	Wolfe's Pond Park	Lessons Offered	40.5194	-74.1868
M104	Sportime at Randall's Island	The Sportime Tennis Center is a concession offering 5 indoor hard courts, 5 indoor/outdoor hard courts, and 10 indoor/outdoor clay courts. Ten of its 20 courts (or 50 percent of available courts when courts are out of service for maintenance, repairs, etc.) are available to NYC Parks Tennis Permit holders during the outdoor permit season (May 1 through the day before Columbus Day; 7am to 7pm), weather permitting. For more information, visit the Sportime Randall's Island tennis page .	40.7943	-73.9198
M070	Sutton Tennis at Queensboro Oval	Lessons are offered. Six courts are available to NYC Parks tennis permit holders from June 16 - September 10. For booking courts and program information please call or visit Sutton East Tennis Club's website.	40.7594	-73.9602
Q001A	Alley Pond Tennis Center	Lessons offered. During the indoor season (October 19-May 6), 11 courts are available to rent for a fee. During the outdoor season, 14 courts are available for Parks tennis permit holders. For booking courts and program information please call or visit Alley Pond Tennis Center's website.	40.7394	73.7361
Q021	Cunningham Tennis Center	Lessons offered. During the indoor/bubbled season, 10 courts are bubbled (The day after Columbus Day-April 27) and can be rented for a fee. During the Outdoor season 15 courts are available to Parks tennis permit holders. For booking courts and program information please call or visit the Cunningham Tennis website.		
R129	Greenbelt Recreation Center			
X344	Stadium Tennis Center at Mill Pond Park	Lessons Offered. During the indoor season (The day after Columbus Day – April 27), there are 4 outdoor courts available, and 12 courts are bubbled and can be rented for a fee. <i>Due to construction, 12 courts are temporarily bubbled year-round.</i> During the outdoor season, 4 bubbled courts and 4 outdoor courts are available to Parks tennis permit holders. For booking courts and program information please call or visit the Stadium Tennis Center website for more information.		
B407	South Oxford Park		40.6836	-73.9722
X210	Governor Smith Playground		40.8196	-73.9202
M308	Washington Market Park		40.7171	-74.0123
B025	Cooper Park Tennis Courts		40.716	-73.9364