

CITY OF NEW YORK

FRANCHISE AND CONCESSION REVIEW COMMITTEE

(Cal. No.1)

RESOLVED, that the Franchise and Concession Review Committee (“FCRC”) authorizes the NYC & Company, Inc. on behalf of New York City Department of Small Business Services (“SBS”) to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to negotiate a non-exclusive, Sole Source License Agreement with Fire Replicas LLC for the non-exclusive use of city-owned trademarks on merchandise.

BE IT FURTHER RESOLVED, that NYC & Company, Inc. on behalf of SBS shall submit the License Agreement SBS proposes to enter into with Fire Replicas LLC to the FCRC for approval.

THIS IS A TRUE COPY OF THE RESOLUTION ADOPTED BY THE
FRANCHISE AND CONCESSION REVIEW COMMITTEE ON

Date: June 14th, 2017

Signed: _____

Title: Director of the Mayor's Office of Contract Services

CONCESSION AGREEMENT PRE-SOLICITATION REVIEW MEMORANDUM COVER SHEET
(Complete and attach a CPSR Memorandum only if the selection procedure will be other than Competitive Sealed Bids)

AGENCY: NYC & Company, Inc. on behalf of NYC Department of Small Business Services	CONCESSION TITLE/DESCRIPTION: Non-exclusive Use of City-Owned Trademarks on Merchandise CONCESSION IDENTIFICATION # NYCCO-2017-009
# VOTES required for proposed action = 4 <input type="checkbox"/> N/A	
SELECTION PROCEDURE (* City Chief Procurement Officer approval of CPSR required)	
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Competitive Sealed Bids (CSB)</div><div><input type="checkbox"/> Competitive Sealed Proposals (CSP)*</div></div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"><div><input checked="" type="checkbox"/> Different Procedure * (<input checked="" type="checkbox"/> Sole Source Agreement <input type="checkbox"/> Other _____)</div><div></div></div> <div style="margin-top: 5px;"><input type="checkbox"/> Negotiated Concession*</div> <div style="margin-top: 10px;">Recommended Concessionaire: Fire Replicas LLC <input checked="" type="checkbox"/> EIN <input type="checkbox"/> SSN # 47-2702814 Attach Memo(s) *</div>	
CONCESSION AGREEMENT TERM Initial Term: <u>To be negotiated</u> Renewal Option(s) Term: <u>To be negotiated</u> Total Potential Term: <u>To be negotiated</u>	ESTIMATED REVENUE/ANTICIPATED BUSINESS TERMS (Check all that apply) (<input type="checkbox"/> Additional description attached) <div style="margin-top: 5px;"><input type="checkbox"/> Annual Minimum Fee(s) \$ _____</div> <div style="margin-top: 5px;"><input type="checkbox"/> % Gross Receipts _____ %</div> <div style="margin-top: 5px;"><input type="checkbox"/> The Greater of Annual Minimum Fee(s of \$ _____ v. _____ % of Gross Receipts</div> <div style="margin-top: 5px;"><input checked="" type="checkbox"/> Other formula <u>To be negotiated</u></div>
LOCATION OF CONCESSION SITE(S)* <input checked="" type="checkbox"/> N/A Address _____ Borough _____ C.B. _____ Block # _____ Lot # _____ <small>*Attach additional sheet</small>	
CONCESSION TYPE (Check all that apply)	
> Significant Concession: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES Basis: <div style="display: flex; justify-content: space-between; margin-left: 20px;"><div><input type="checkbox"/> Total potential term =>10 years</div><div><input type="checkbox"/> Projected annual income/value to City >\$100,000</div><div><input type="checkbox"/> Major Concession</div></div>	
> Major Concession: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES - Award will be subject to review and approval pursuant to Sections 197-c and 197-d of NYC Charter.	
NOTIFICATION REQUIREMENTS	
Subject concession will be awarded by CSB or CSP. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If YES, check the applicable box(es) below: <div style="margin-top: 5px;"><input type="checkbox"/> The subject concession is a Significant Concession and the Agency has/will complete its consultations with each affected CB/BP regarding the scope of the solicitation at least 30 days prior to its issuance.</div> <div style="margin-top: 10px;"><input type="checkbox"/> The subject concession is a Significant Concession and the Agency provided notification of such determination to each affected CB/BP by inclusion of this concession in the Agency's Plan pursuant to §1- 10 of the Concession Rules.</div> <div style="margin-top: 10px;"><input type="checkbox"/> The subject concession has been determined not to be a Major Concession and the Agency has sent/will send written notification of such determination to each affected CB/BP at least 40 days prior to issuance of the solicitation.</div> <div style="margin-top: 10px;"><input type="checkbox"/> The subject concession has been determined not to be a Major Concession and the Agency provided notification of such determination to each affected CB/BP by inclusion of this concession in the Agency's Plan pursuant to §1-10 of the Concession Rules.</div>	
If NO, check the applicable box below: <div style="margin-top: 5px;"><input checked="" type="checkbox"/> The Agency certifies that each affected CB/BP has received/will receive written notice at least 40 days in advance of the FCRC meeting at which the agency will seek approval to use a different selection procedure.</div>	

- ☐ The Agency certifies that based on exigent circumstances it has requested/will request unanimous approval of the FCRC to waive advance written notice to each affected CB/BP.
- ☐ The Agency certifies that each affected CB/BP will receive written notice that the concession was determined to be non-major along with a summary of the terms and conditions of the proposed concession upon publication of a Notice of Intent to Enter into Negotiations. The agency further certifies that it will send a copy of this notice to the members of the Committee within five days of the notice to each affected CB/BP.

AUTHORIZED AGENCY STAFF

This is to certify that the information presented herein is accurate.

Name Andrew Schwartz Title Deputy Commissioner
Signature [Signature] Date 5/30/17

CITY CHIEF PROCUREMENT OFFICER

This is to certify that the agency's plan presented herein will comply with the prescribed procedural requisites for the award of the subject concession.

Signature [Signature] Date 6/1/17
City Chief Procurement Officer

CONCESSION AGREEMENT PRE-SOLICITATION REVIEW MEMORANDUM

A. DETERMINATION TO UTILIZE OTHER THAN COMPETITIVE SEALED BIDS ☐ N/A

Instructions: Attach copy of draft RFP or other solicitation document, and check all applicable box(es) below.

The Agency has determined that it is not practicable or advantageous to use Competitive Sealed Bids because:

- ☐ Specifications cannot be made sufficiently definite and certain to permit selection based on revenue to the City alone.
- ☐ Judgment is required in evaluating competing proposals, and it is in the best interest of the City to require a balancing of revenue to the City, quality and other factors.
- ☐ The agency will be pursuing a negotiated concession for the reasons listed in section (B)(3)(b)
- ☒ Other (Describe)

NYC & Company Inc. on behalf of New York City Department of Small Business Services (SBS), intends to seek Franchise and Concession Review Committee approval to utilize a different procedure to negotiate a non-exclusive, sole source license agreement with Fire Replicas LLC pursuant to Section 1-16 of the Concession Rules of the City of New York (different procedures) for the reasons listed in Section (B)(2) below.

B. DETERMINATION TO USE OTHER THAN COMPETITIVE SEALED PROPOSALS ☒ N/A

1. Briefly summarize the terms and conditions of the concession. *Add additional sheet(s), if necessary.*

To be determined at a later date- when/if the Franchise and Concession Review Committee (FCRC) approves the use of a different procedure to negotiate an agreement with Fire Replicas LLC.

2. Briefly explain the basis for the determination not to solicit Competitive Sealed Proposals. *[Explain]*

Fire Replicas LLC approached NYC & Company, Inc. to create replica fire trucks containing the City's proprietary marks for distribution on their e-commerce site. Fire Replicas LLC proposed unique designs to be created by Fire Replicas LLC's creative department to be used solely for this arrangement if approved. This proposed non-exclusive license agreement will not bar other opportunities from other replica fire truck manufacturers and will allow the City to provide replica fire trucks to consumers at retail.

- 3a. Briefly explain the selection procedure that will be utilized. *[Explain]*

NYC & Company Inc./SBS is requesting authorization to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to negotiate a Sole Source License Agreement with Fire Replicas LLC for the non-exclusive use of city-owned trademarks on replica fire vehicles produced and sold by Fire Replicas LLC. Fire Replicas LLC held a non-concession agreement for the purpose of testing the product interest to its distribution channel and customers unique to Fire Replicas LLC. At the time the non-concession agreement with Fire Replicas LLC was executed the parties anticipated that the revenue would not exceed administrative costs which were estimated to be \$8,500, however Fire Replicas LLC received a positive consumer response, the royalties amounted to \$9,804.04. It was in the city's best interest to allow the sales to proceed. It was impossible to determine during negotiation of the non-concession agreement that the pilot program would have been so successful and based on the information available at the time there was no basis to justify bringing the matter before the FCRC for a concession agreement. Given that interest in the products has been successful and we now believe it is in the City's best interest to move to a concession agreement and as part of the forward looking concession, NYC & Company

Inc./SBS seeks approval of the FCRC to negotiate a concession agreement with Fire Replicas LLC that includes the excess revenue from the non-concession agreement. We intend to bring this matter before the FCRC on June 14th, 2017 ("Step 1"). Once negotiated and if determined by NYC & Company Inc./SBS to be a significant concession, NYC & Company Inc./SBS and the FCRC will hold a joint public hearing on the proposed Agreement before presenting it to the FCRC for ("Step 2") approval at a second public meeting. If NYC & Company Inc./SBS determines the concession to be non-significant, NYC & Company Inc./SBS will present the fully negotiated Agreement directly (without need for an initial joint public hearing).

3b. If the selection procedure is a negotiated concession, check the applicable box: ☒ N/A

The Agency made a determination that it is not practicable and/or advantageous to award a concession by competitive sealed bidding or competitive sealed proposals due to the existence of a time-sensitive situation where a concession must be awarded quickly because:


- ☐ The Agency has an opportunity to obtain significant revenues that would be lost or substantially diminished should the agency be required to solicit the concession by competitive sealed bids or competitive sealed proposals and the diminished revenue does not relate only to the present value of the revenue because of the additional time needed to solicit competitive sealed bids or competitive sealed proposals; *[Explain]*
- ☐ An existing concessionaire has been terminated, has defaulted, has withdrawn from, or has repudiated a concession agreement, or has become otherwise unavailable; *[Explain]*
- ☐ The Agency has decided, for unanticipated reasons, not to renew an existing concession in the best interest of the City and requires a substitute/successor concessionaire. *[Explain]*
- ☐ DCAS is awarding a concession to an owner of property adjacent to the concession property, or to a business located on such adjacent property, and has determined that it is not in the best interest of the City to award the concession pursuant to a competitive process because of the layout or some other characteristic of the property, or because of a unique service that can be performed only by the proposed concessionaire. *[Explain]*

Approved by CCPO: _____ **on** ____/____/____.

4. If the Agency has/will request unanimous FCRC approval to waive advance written notice each affected CB/BP that a selection procedure other than CSB or CSP will be utilized, explain the exigent circumstances. *[Explain]* ☒ **N/A**

Memo

To: NYC Borough Presidents
NYC Community Board Presidents

From: Christina Rowley 
NYC & Company Inc.

CC: Tia Pierce
Department of Small Business Services

Stephanie Ruiz
Mayor's Office of Contract Services

Bryan Grimaldi
NYC & Company Inc.

Date: May 5, 2017

Re: Notice of Intent to Seek FCRC approval to utilize a different procedure to negotiate a Sole Source License Agreement with Fire Replicas LLC for the non-exclusive use of city-owned trademarks on merchandise

Dear NYC Borough Presidents and NYC Community Board Presidents:

Pursuant to §1-16 of the Concession Rules of the City of New York, this is to notify the Borough Presidents and Community Boards that NYC & Company Inc. on behalf of the NYC Department of Small Business Services, intends to seek Franchise and Concession Review Committee approval to utilize a different procedure to negotiate a sole source license agreement with Fire Replicas LLC for the non-exclusive use of city-owned trademarks on merchandise. If you have any questions, please contact me by e-mail at crowley@nycgo.com.

Best,


Christina Rowley

CITY OF NEW YORK

FRANCHISE AND CONCESSION REVIEW COMMITTEE

(Cal. No. 2)

BE IT RESOLVED that the Franchise and Concession Review Committee (“FCRC”) hereby authorizes the New York City Department of Transportation (“DOT”) to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to negotiate a Sole Source License Agreement (“Agreement”) with the Meatpacking Improvement Association, Inc., (“MPIA”), to provide for the operation, management and maintenance of a pedestrian plaza located on and adjacent to 9th Avenue between Gansevoort Street and West 15th Street in Manhattan (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or MPIA, and other similar merchandise. Subconcessions would be awarded based on solicitations issued by MPIA in the basic form of Request for Proposals or Request for Bids, subject to DOT’s prior written approval of both solicitation and award.

BE IT FURTHER RESOLVED that DOT shall submit the Agreement it proposes to enter into with MPIA to the FCRC for approval.

THIS IS A TRUE COPY OF THE RESOLUTION ADOPTED BY THE
FRANCHISE AND CONCESSION REVIEW COMMITTEE ON

June 14, 2017

Date: _____

Signed: _____

Title: Director of the Mayor's Office of Contract Services

CONCESSION AGREEMENT PRE-SOLICITATION REVIEW MEMORANDUM COVER SHEET
(Complete and attach a CPSR Memorandum only if the selection procedure will be other than Competitive Sealed Bids)

AGENCY: <u>New York City Department of Transportation (DOT)</u>	CONCESSION TITLE/DESCRIPTION: <u>Operation, management and maintenance of a pedestrian plaza located on and adjacent to 9th Avenue between Gansevoort Street and West 15th Street in the Borough of Manhattan</u>
# VOTES required for proposed action = <u>4</u> <input type="checkbox"/> N/A	CONCESSION IDENTIFICATION # _____
SELECTION PROCEDURE (* City Chief Procurement Officer approval of CPSR required)	
<input type="checkbox"/> Competitive Sealed Bids (CSB) <input type="checkbox"/> Competitive Sealed Proposals (CSP)*	
<input checked="" type="checkbox"/> Different Procedure * (<input checked="" type="checkbox"/> Sole Source Agreement <input type="checkbox"/> Other _____)	
<input type="checkbox"/> Negotiated Concession*	
Recommended Concessionaire: <u>Meatpacking Improvement Association, Inc.</u> <input checked="" type="checkbox"/> EIN <input type="checkbox"/> SSN # <u>20-8540196</u>	
Attach Memo(s) *	
CONCESSION AGREEMENT TERM Initial Term: <u>To be negotiated</u> Renewal Option(s) Term: <u>To be negotiated</u> Total Potential Term: <u>To be negotiated</u>	ESTIMATED REVENUE/ANTICIPATED BUSINESS TERMS (Check all that apply) <input type="checkbox"/> Additional description attached <input type="checkbox"/> Annual Minimum Fee(s) \$ _____ <input type="checkbox"/> % Gross Receipts _____ % <input type="checkbox"/> The Greater of Annual Minimum Fee(s of \$ _____ v. _____ % of Gross Receipts <input checked="" type="checkbox"/> Other formula: <u>Maintenance costs</u>
LOCATION OF CONCESSION SITE(S) <input type="checkbox"/> N/A Address: <u>On and adjacent to 9th Avenue between Gansevoort Street and West 15th Street, Borough of Manhattan (see attached map)</u> Borough: <u>Manhattan C.B. 2, 4 Block # N/A Lot # N/A</u>	
CONCESSION TYPE (Check all that apply)	
> Significant Concession: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Basis: <input type="checkbox"/> Total potential term =>10 years <input checked="" type="checkbox"/> Projected annual income/value to City >\$100,000 <input type="checkbox"/> Major Concession	
> Major Concession: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES - Award will be subject to review and approval pursuant to Sections 197-c and 197-d of NYC Charter.	
NOTIFICATION REQUIREMENTS	
Subject concession will be awarded by CSB or CSP. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If YES, check the applicable box(es) below:	
<input type="checkbox"/> The subject concession is a Significant Concession and the Agency has/will complete its consultations with each affected CB/BP regarding the scope of the solicitation at least 30 days prior to its issuance.	
<input type="checkbox"/> The subject concession is a Significant Concession and the Agency provided notification of such determination to each affected CB/BP by inclusion of this concession in the Agency's Plan pursuant to §1-10 of the Concession Rules.	
<input type="checkbox"/> The subject concession has been determined not to be a Major Concession and the Agency has sent/will send written notification of such determination to each affected CB/BP at least 40 days prior to issuance of the solicitation.	
<input type="checkbox"/> The subject concession has been determined not to be a Major Concession and the Agency provided notification of such determination to each affected CB/BP by inclusion of this concession in the Agency's Plan pursuant to §1-10 of the Concession Rules.	

If **NO**, check the applicable box below:

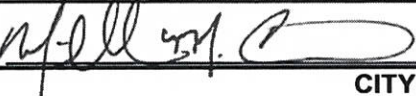
- ☒ The Agency certifies that each affected CB/BP has received/will receive written notice at least 40 days in advance of the FCRC meeting at which the agency will seek approval to use a different selection procedure.
- ☐ The Agency certifies that based on exigent circumstances it has requested/will request unanimous approval of the FCRC to waive advance written notice to each affected CB/BP.
- ☐ The Agency certifies that each affected CB/BP will receive written notice that the concession was determined to be non-major along with a summary of the terms and conditions of the proposed concession upon publication of a Notice of Intent to Enter into Negotiations. The agency further certifies that it will send a copy of this notice to the members of the Committee within five days of the notice to each affected CB/BP.

AUTHORIZED AGENCY STAFF

This is to certify that the information presented herein is accurate.

Name Michelle Craven Title Senior Executive Director of Cityscape & Franchises

Signature



Date 5/15/17

CITY CHIEF PROCUREMENT OFFICER

This is to certify that the agency's plan presented herein will comply with the prescribed procedural requisites for the award of the subject concession.

Signature


City Chief Procurement Officer

Date 6/1/17

CONCESSION PRE-SOLICITATION REVIEW MEMORANDUM

A. DETERMINATION TO UTILIZE OTHER THAN COMPETITIVE SEALED BIDS ☐ N/A

Instructions: Attach copy of draft RFP or other solicitation document, and check all applicable box(es) below.

The Agency has determined that it is not practicable or advantageous to use Competitive Sealed Bids because:

- ☐ Specifications cannot be made sufficiently definite and certain to permit selection based on revenue to the City alone.
- ☐ Judgment is required in evaluating competing proposals, and it is in the best interest of the City to require a balancing of revenue to the City, quality and other factors.
- ☐ The agency will be pursuing a negotiated concession for the reasons listed in section (B)(3)(b)
- ☒ **Other (Describe):**

The New York City Department of Transportation ("DOT") will be pursuing a Sole Source License Agreement ("Agreement") pursuant to Section 1-16 of the Concession Rules ("different procedures") for the reasons listed in section (B)(2).

B. DETERMINATION TO USE OTHER THAN COMPETITIVE SEALED PROPOSALS ☐ N/A

1. ***Briefly summarize the terms and conditions of the concession. Add additional sheet(s), if necessary.***

Subject to Franchise and Concession Review Committee ("FCRC") Step 1 authorization, DOT intends to negotiate the Agreement with the Meatpacking Improvement Association, Inc. ("MPIA") for the operation, management and maintenance of a pedestrian plaza located on and adjacent to 9th Avenue between Gansevoort Street and West 15th Street, in the borough of Manhattan ("Licensed Plaza").

MPIA would have the right to provide for the operation and management of the Licensed Plaza in exchange for ongoing maintenance of the Licensed Plaza, including through DOT-approved events, sponsorships and subconcessions providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or the MPIA, and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by MPIA in the basic form of Request for Proposals, and subject to DOT's prior written approval of both solicitation and award.

2. ***Briefly explain the basis for the determination not to solicit Competitive Sealed Proposals.***

The intent of the Agreement is that all revenue received by MPIA from the operation of the concession will go toward maintaining the Licensed Plaza. Since the concession will not yield a profit to MPIA, a determination was made to not solicit Competitive Sealed Proposals.

It is in the City's best interest to enter into the Agreement using a different procedure with the MPIA. because this not-for-profit organization's mission is to improve and enhance the neighborhood in which the Licensed Plaza is located. MPIA was created and is funded by the property owners surrounding the Licensed Plaza. This organization directly represents the neighborhood that it will serve and has a specific interest in the Licensed Plaza.

3a. ***Briefly explain the selection procedure that will be utilized.***

On June 14, 2017, DOT intends to seek FCRC authorization to negotiate the Agreement with MPIA for the operation, management and maintenance of the Licensed Plaza ("Step 1"). Pending FCRC Step 1 approval, DOT intends to negotiate the terms of the Agreement with MPIA.

Once negotiated and if determined by DOT to be a significant concession, the agency and the FCRC will hold a joint Public Hearing on the proposed Agreement before presenting the proposed concession to the FCRC for "Step 2" approval at a second Meeting. If DOT determines the concession to be non-significant, DOT will present the fully negotiated Agreement with MPIA to the FCRC and request the required FCRC authorization to enter into the Agreement directly (without the need for an initial public hearing).

3b. ***If the selection procedure is a negotiated concession, check the applicable box: ☒ N/A***

The Agency made a determination that it is not practicable and/or advantageous to award a concession by competitive sealed bidding or competitive sealed proposals due to the existence of a time-sensitive situation where a concession must be awarded quickly because:

- ☐ The agency has an opportunity to obtain significant revenues that would be lost or substantially diminished should the agency be required to solicit the concession by competitive sealed bids or competitive sealed proposals and the diminished revenue does not relate only to the present value of the revenue because of the additional time needed to solicit competitive sealed bids or competitive sealed proposals; *[Explain]*
- ☐ An existing concessionaire has been terminated, has defaulted, has withdrawn from, or has repudiated a concession agreement, or has become otherwise unavailable; *[Explain]*
- ☐ The agency has decided, for unanticipated reasons, not to renew an existing concession in the best interest of the City and requires a substitute/successor concessionaire. *[Explain]*
- ☐ DCAS is awarding a concession to an owner of property adjacent to the concession property, or to a business located on such adjacent property, and has determined that it is not in the best interest of the City to award the concession pursuant to a competitive process because of the layout or some other characteristic of the property, or because of a unique service that can be performed only by the proposed concessionaire. *[Explain]*

Approved by CCPO: _____ **on** ____/____/____.

4. If the agency has/will request unanimous FCRC approval to waive advance written notice to affected CB(s) that a selection procedure other than CSB or CSP will be utilized, explain the exigent circumstances. ☒ **N/A**



Department of Transportation

POLLY TROTTERBERG, Commissioner

May 5, 2017

The Honorable Gale Brewer
Manhattan Borough President
1 Centre Street, 19th Floor
New York, NY 10007

Mr. Robert J. Benfatto, District Manager
Manhattan Community Board 4
330 West 42nd Street, 26th Floor
New York, NY 10036

Mr. Bob Gormley, District Manager
Manhattan Community Board 2
3 Washington Square Village, #1A
New York, NY 10012

Re: Pedestrian Plaza Concession

Dear Ms. Brewer, Mr. Gormley and Mr. Benfatto,

Pursuant to Section 1-16 of the Concession Rules of the City of New York, the New York City Department of Transportation ("DOT") intends to seek approval from the Franchise and Concession Review Committee ("FCRC") to utilize a different procedure to negotiate a Sole Source Concession Agreement ("Agreement") with an organization (the "Concessionaire") for the operation, management and maintenance of a pedestrian plaza located on and adjacent to 9th Avenue between Gansevoort Street and West 15th Street, in the borough of Manhattan ("Licensed Plaza"), including through DOT-approved events, sponsorships and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or the Concessionaire, and other similar merchandise within the Licensed Plaza. DOT has identified the Meatpacking Improvement Association, Inc. as a potential Concessionaire, but DOT will consider additional expressions of interest from other qualified and experienced organizations. As such, a public notice is being placed in the City Record to inform other qualified organizations of this opportunity.

If you have any questions, please feel free to contact me at 212-839-6210.

Sincerely,

A handwritten signature in black ink, reading "Luis Sanchez", is written over a horizontal line.

Luis Sanchez
Manhattan Borough Commissioner

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON AND ADJACENT TO 9TH AVENUE BETWEEN GANSEVOORT STREET AND WEST 15TH STREET, IN THE BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation (“DOT”) intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on and adjacent to 9th Avenue between Gansevoort Street and West 15th Street, in the borough of Manhattan (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or the concessionaire, or other similar merchandise within the Licensed Plaza.

Subconcessions would be awarded based on solicitations issued by the concessionaire in the basic form of Request for Proposals or Request for Bids, subject to DOT’s prior written approval of both solicitation and award.

DOT has identified the Meatpacking Improvement Association, Inc. as a potential concessionaire, but DOT will consider additional expressions of interest from other potential concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly-accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Organizations may express interest in the proposed concession by contacting Emily Weidenhof, Director of Public Space by email at plazas@dot.nyc.gov or in writing at 55 Water Street, 6th Floor, New York, NY 10041 by June 13, 2017. Ms. Weidenhof may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-5325.

Please note that 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 concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.