

CONCESSION AGREEMENT RECOMMENDATION FOR AWARD MEMORANDUM COVER SHEET

(Attach, in the following order, applicable CRFA Memo, Responsibility Determination Form, approved CPSR Cover Sheet and, if the selection procedure was not CSB, the CPSR Memo and CCPO Memo (if applicable))

AGENCY: <u>New York City Department of Parks and Recreation ("Parks")</u>	RECOMMENDED CONCESSIONAIRE Name: <u>Row New York Inc.</u> Address: <u>252 West 37th Street, 4th Floor, New York, NY 10018</u> Telephone # (718) 433-3075 <input checked="" type="checkbox"/> EIN <input type="checkbox"/> SSN #11-3632924 Not-for-Profit Organization <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Certified by DSBS as M/WBE <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	CONCESSION TITLE/ DESCRIPTION: <u>Sole Source License Agreement with Row New York Inc. for the use, maintenance and operation of rowing facilities at Sherman Creek, Manhattan.</u>
# VOTES required for proposed action = <u>4</u> <input type="checkbox"/> N/A	CONCESSION I.D.# <u>M300-O</u>	

LOCATION OF CONCESSION SITE(S*)

Sherman Creek

Address Harlem River Drive, 10th Avenue

Borough Manhattan **C.B.** 12 **Block #** 2150 **Lot #** 1

☐ **N/A** *Attach additional sheet

SELECTION PROCEDURE

(*CCPO approval of CRFA required)

- ☐ Competitive Sealed Bids
- ☐ Competitive Sealed Proposals* (☐ FCRC approved Agency request to deviate from final recommendation of the Selection Committee on ___/___/___)
- ☒ Different Selection Procedure: * (☒ Sole Source Agreement ☐ Other _____)
- > FCRC approved different selection procedure on 06/13/2018.
- ☐ Negotiated Concession*

CONCESSION AGREEMENT TERM

Initial Term: Twenty (20) Years from Notice to Proceed

Renewal Option(s) Term: n/a

Total Potential Term: Twenty (20) Years

☐ * >20 years – FCRC unanimously approved term on ___/___/___

ANNUAL REVENUE

(Check all that apply)

☐ Additional sheet (☐s) attached

☐ **Annual Fee(s)** \$ _____

☐ **% Gross Receipts** _____%

☐ **The Greater of Annual Minimum Fee(s of \$_____ v. _____% of Gross Receipts**

☒ **Other**

All gross receipts received by Licensee will be used exclusively to pay all costs incurred by Licensee in operating, programming, repairing, maintaining and managing the Licensed Premises and in performing Licensee obligations and providing services required or permitted by this Agreement ("Expenses"). If the gross receipts received by Licensee for any Fiscal Year exceed such costs ("Excess Revenues"), any Excess Revenues shall be used exclusively to pay Expenses incurred in any subsequent Fiscal Year.

NOTIFICATION REQUIREMENTS

Subject concession was awarded by CSB or CSP.

☐ **YES** ☒ **NO**

If YES, check the applicable box(es) below:

- ☐ The subject concession is a Significant Concession and the Agency completed its consultations with each affected CB/BP regarding the scope of the solicitation by ___/___/___, which was at least 30 days prior to its issuance.
- ☐ The subject concession is a Significant Concession and the Agency included this concession in the Agency's Plan and completed consultations with each affected CB/BP pursuant to §1-10 of the Concession Rules.
- ☐ The subject concession was determined not to be a Major Concession and the Agency sent notification of such determination to each affected CB/BP by ___/___/___, which was at least 40 days prior to issuance of the solicitation.

☒ The Agency certifies that each affected CB/BP received written notice by 05/04/2018, which was at least 40 days in advance of the FCRC meeting on 06/13/2018 at which the agency sought and received approval to use a different selection procedure.

☐ The Agency certifies that each affected CB/BP received written notice on __/__/__, at the time that a notice of intent to enter into negotiations was published for the subject concession, and provided a copy of such notification to the members of the Committee within five days on __/__/__.

☐ The Agency certifies that based on exigent circumstances the FCRC unanimously approved waiver of advance written notice to each affected CB/BP on __/__/__.

Award is a major concession. ☐ YES ☒ NO

☐ CPC approved on ___/___/___ ☐ City Council approved on ___/___/___ or ☐ N/A

This is to certify that the information presented herein is accurate and that I find the proposed concessionaire to be responsible and approve of the award of the subject concession agreement.

☐ The concession was approved by the FCRC on __/__/__.

☐ The concession was not subject to the approval of the FCRC because it has a term of <30 days and is not subject to renewal.

Title Chief of Concessions

Date / /

This is to certify that the agency has complied with the prescribed procedural requisites for award of the subject concession agreement.

Date / /

City Chief Procurement Officer