

# REQUEST FOR PROPOSAL

## SAILING, RECREATION AND EDUCATION PROGRAMS AT THE OYSTER BAY WESTERN WATERFRONT

TOWN OF OYSTER BAY  
DEPARTMENT OF PARKS



Release Date: January 11, 2019  
Due Date: February 11, 2019

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Department of Parks  
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## ***Introduction***

The Town of Oyster Bay, Department of Parks, seeks well-qualified organizations, firms or individuals to provide certain activities and programs at The Town of Oyster Bay, New York State Department of Environmental Conservation Western Waterfront located in Oyster Bay, New York. The selected organization will provide education, recreation, and community based programs.

Additional information regarding the requirements contained in this RFP may be obtained by contacting:

Joseph G. Pinto, Commissioner  
Town of Oyster Bay  
Department of Parks  
977 Hicksville Road  
Massapequa, New York 11758  
Telephone: (516) 797-4129  
Email: [WesternWaterfrontRFP@oysterbay-ny.gov](mailto:WesternWaterfrontRFP@oysterbay-ny.gov)

## ***Objective of Request for Proposal***

The objective of this Request for Proposal (“RFP”) is to award a License Agreement to a organization, firm or individual that will accomplish the following:

1. Optimize public participation and maximum utilization of the Oyster Bay Western Waterfront facility, within the capacity of the buildings and grounds contained therein.
2. Provide any and all materials, furnishings, identification, and equipment to ensure the efficient operation for the following activities:
  - a. Marine Education programs
  - b. Sailing lessons and related programs
  - c. Sailboat rentals
3. Provide the Town with an appropriate and sustainable fee.
4. Provide activities, programs, seminars or other marine and maritime based educational programs annually that are open to the general public without reservation, appointment or fee. The proposer shall describe the programs in detail indicating the nature of the program, the target group and number of expected participants and the proposed dates of the program or activity.

5. Proposers may submit proposals for any one, or any combination of, or for all of the below noted activities:
  - a. Marine and/or Maritime Education programs
  - b. Sailing lessons and related programs
  - c. Sailboat rentals
6. Activities not specified above may **not** be included in this proposal, and may be a reason for disqualification.
7. Result in a license agreement for an initial one year period with four (4) one year extensions.

**The Town of Oyster Bay seeks to award license agreements for proposals for any one program or combination of programs that provide the best service and revenue to the residents or the Town of Oyster Bay. Firms, individuals or organizations that submit a proposal for all activities should be advised that license agreements may be issued for only those proposals that provide the most suitable revenue and best serve the residents of the Town of Oyster Bay.**

### ***Program Requirements and Scope***

The Town of Oyster Bay, Department of Parks, manages and maintains lands and a building owned by the New York State Department of Environmental Conservation, and owns separately, certain properties and facilities at the location known as the Oyster Bay Western Waterfront. A full description of these properties and facilities can be found in Appendix “A - Facilities Description.”

All activities, use of facilities, and real property described under this proposal, whether owned by the Town of Oyster Bay or the New York State Department of Environmental Conservation shall be managed by the Town of Oyster Bay, under agreement with and for the New York State Department of Environmental Conservation.

The Proposal shall present a detailed outline which fully describes the operation and administrative structure for the successful implementation and management of the projects as noted in the section entitled “Objective of Request for Proposal.” The program outline will be used in the evaluation process and will be used along with the financial revenue to the Town of Oyster Bay to select the successful proposal.

## ***Operations and Facilities***

It is anticipated that that there will be no further capital improvements made to accommodate the goals and objectives of this RFP.

Any capital improvements, renovations and/or maintenance will be undertaken and completed independent of the current and/or future operational needs of the successful proposer.

The use of facilities owned by the town/or under control of the Town of Oyster Bay may not be used for activities other than those proposed by the proposer.

Facilities, as provided, may not be modified or altered by the successful proposer. Repairs necessary to damage caused by the operation or activities will be the responsibility of the successful proposer.

All operations shall be contained within the boundaries of the Western Waterfront with further details as described in Appendix "B" Outdoor Storage Schematic and Appendix "C" Outdoor Land Use Maps. Proposers shall indicate which portion(s) of the facility shall be used for the specific programs noted in the submitted proposal. Please note that Beekman Beach is a Town owned and operated facility with a separate and distinct deed and restrictive covenants that limits its use for activities. **No proposed activities that utilize Beekman Beach will be accepted as a portion of this RFP.**

Not all lands, structures, and improvements are fully available for use by the successful bidder. Certain portions of said lands, structures, and improvements will be retained for use by the Town and the State. No space, interior or exterior, shall be occupied beyond the limits set forth and as determined by the New York State Uniform Fire and Building Code as well as any conditions that might exceed the capacity of these areas. All applicants must become familiar with and consider permitted uses and capacities when submitting your proposal. Any lands and/or facilities considered for use by the proposer shall not guarantee exclusive use of those lands/facilities unless otherwise stated as a condition of contract.

The Town of Oyster Bay will, specify the availability of facilities, interior and exterior space consistent with the goals and objectives of the Town of Oyster Bay, Department of Parks, and this RFP.

The successful proposer is expected to provide all materials, supplies and equipment necessary to successfully and lawfully operate this endeavor.

The successful proposer will provide the following:

1. An appropriate number of sailing vessels to accommodate the estimated number of participants/events/classes. The number of sailing vessels shall not exceed the capacity of the areas and facilities established by the Town of Oyster Bay and the New York State Department of Environmental Conservation.
2. All classroom and educational aides to accommodate the estimated number of participants/events/classes.
3. All staff, educators, equipment and vessel operators, and trainers, certified by recognized accredited institutions in their respective fields of endeavor.
4. All proposed programs subject to regulation by agencies other than the New York State Department of Environmental Conservation and Town of Oyster Bay shall provide proof of compliance from the applicable agency prior to commencement of the program. In addition, the Town reserves the right to require certification from agencies in those instances where the benefit of the general public is better served by standards administered by those agencies.
5. All equipment and accessories necessary to operate any and all vessels utilized in the proposed programs.
6. All safety equipment necessary to operate any and all programs consistent with applicable regulations that may be established by law, statute or ordinance.
7. All personnel shall be trained and certified in safety and first aid standards in accordance with applicable regulations that may be established by law, statute or ordinance.
8. All equipment and vessels shall be maintained in good repair, meeting all required government and industry standards for each.
9. Provide maintenance and janitorial services and general repairs to the interior infrastructure and fixtures.
10. The proposer shall state the storage location(s) for all equipment in their proposal including “in season” and “off season” arrangements. Space may be available as depicted on Appendix “D” Proposal Operations Matrix. Proposer’s fee to the town should include a fee equal to the storage space identified and utilized.

The Town of Oyster Bay will *not* provide the following items:

1. Any and all items noted above.
2. Personal protective equipment.
3. Staff or materials.

4. Security for vessels and or vehicles.
5. Facility improvements or upgrades.
6. Items not heretofore noted as determined by the Town of Oyster Bay
7. Mooring privileges are subject to the rules and regulation adopted by Town of Oyster Bay Department of Environmental Resources. This RFP makes no representation that moorings in excess of 18 will be available.

### ***Requirements of Contract***

The Department of Parks seeks operators with substantial financial capability and experience in the operation in the individual or aggregate activities proposed. Parties without substantial qualifying experience may not be considered.

Any and all sub-contractors for the services proposed in the proposal shall be indicated and identified by discipline and in relation to the activity.

The successful proposer shall provide the Town of Oyster Bay with a copy of the completed IRS 990 form annually. **The proposer shall provide three years of filings, the latest filing date shall be no more than 1 year from the date of the proposal submission.**

For profit organizations shall submit a completed IRS Form 1120 or other appropriate Federal IRS income tax return. **The proposer shall provide three years of filings, the latest filing date shall be no more than 1 year from the date of the proposal submission.**

The proposer shall be required to provide proof of adequate Insurance as specified in the “Insurance” section and any additional insurance as required by the Town of Oyster Bay and the New York State Department of Environmental Conservation.

The proposer shall provide a list of all organizations and or groups (profit and non-profit) that will utilize the auspices of the proposer to either assist in the operation or operate independently within the framework of the proposal.

Excess facility time or unutilized facility time will revert to the Town of Oyster Bay, Department of Parks, for utilization and shall not be sold, rented, leased or otherwise given to any group (non-profit or profit), organization or individual without the expressed written consent of the Commissioner of the Department of Parks.

The proposer shall not sell, rent, lease or otherwise give to any group (non-profit or profit), organization or individual any land, dock space, pier space, mooring space, office space or facility time.

The proposer shall provide a list of fees for each event, instruction activity or anticipated activity as an appendix to the contract.

The proposer shall provide a revenue payment schedule for the stated duration of the contract.

### ***Format***

In order to facilitate the most orderly and efficient comparison of proposals it is requested that each submission be organized in the following format:

1. A detailed resume for all principals and/or directors, including, but not to be limited to, full identification and addresses of each entity and principal, including a complete resume of experience and background.
2. The proposal should also include an organizational chart for the operation of all proposed programs, training, and similar activities. The organizational chart shall include any maintenance staff as well as their respective duties relative to the proposed operation.
3. A current statement of financial responsibility and capability, substantiating the worth necessary to conduct and promote the operation shall be included.
4. A description of the proposed activities, events, classes and the number of participants for each scheduled event.
5. A description of the activities, events, classes and the number of participants for each activity. The Proposer shall indicate the proposed fee for each participant per activity and the corresponding discount for Oyster Bay residents.
6. The submission of program brochures, pamphlets or similar document is not a suitable replacement for the detailed descriptions noted above.
7. In no instance shall an activity be planned or scheduled that exceeds the capacity of Building "G"- (107 people)
8. In no instance shall an activity be planned that exceeds the parking capacity of the facility. Although there are 42 spaces at the facility, these are shared with the general public and other user groups at the Western Waterfront. Proposed programs shall be planned accordingly.



9. The proposal shall include a payment schedule for the duration of the anticipated contract period. and completion of the proposed operations chart found in Appendix “D.”

In the interest of saving Proposers the cost of paper, duplicating, binding and delivery time, **proposals will only be accepted via email, in a searchable PDF format.**

To be considered a response must be received by the Commissioner of the Department of Parks at the following email address:

WesternWaterfrontRFP@oysterbay-ny.gov

Please ask for a “delivery receipt” and “read receipt” when submitting your proposal.

Responses received after 11:00 a.m., on Monday, February 11, 2019, **WILL NOT BE CONSIDERED.**

Faxed responses **WILL NOT BE CONSIDERED.**

***Hold Harmless Agreement***

Prior to start of the commencement of contract, the contractor agrees to enter into a “hold harmless” Agreement with the Town and New York State Department of Environmental Conservation. In a form similar to the example attached hereto.

**Standard Letter of Indemnification**

**Company Letterhead**

Re: (RFP Name)

(Proposer) agrees to indemnify and hold harmless the Town of Oyster Bay and New York State Department of Environmental Conservation, its officers and employees from any and all claims, suits, losses, damages, or injury to person or property of whatsoever kind of nature, whether direct or indirect, arising out of the performance of this contract, or the carelessness, negligence or improper conduct of (Contractor) and/or its subcontractors, agents or employees.

***Insurance***

**A. WORKER’S COMPENSATION INSURANCE**

In accordance with the Laws of the State of New York Worker’s Compensation Insurance must cover all the proposer’s or contractor’s employees employed at the site of the project. If any work is sublet, the contractor shall require the subcontractor to provide Worker’s Compensation Insurance for all of the subcontractor’s employees employed at the site unless such employees are covered by the Worker’s Compensation Insurance of the contractor.

**B. COMPREHENSIVE GENERAL LIABILITY INSURANCE**

Proposer shall provide proof of comprehensive General Liability Insurance including Premises and Operation Liability, contractor’s Protective Liability and Completed Operations and Product Liability, to protect the proposer, contractor and any subcontractor performing work in connection with this contract from claims for damages for personal injury claimed to be sustained resulting from false arrest, detention and/or imprisonment, malicious prosecution, libel, slander, and/or

defamation of character, invasion of privacy, wrongful eviction and/or wrongful entry and from claims for such operations be by the proposer, contractor or by the subcontractor or by any one directly or indirectly employed by either of them. The Town of Oyster Bay and the State of New York shall be named as additional insured. The minimum amounts and types of such insurance must be as follows:

Commercial General Liability	\$3,000,000 per occurrence
Commercial Business Automobile Liability	\$1,000,000 per accident
Protection and Indemnity Insurance	\$3,000,000 per occurrence
Pollution Liability Coverage	\$5,000,000

C. SPECIAL HAZARDS INSURANCE

Public Liability Insurance for automobiles and trucks covering claims arising from bodily injury and property damage in amounts specified in subparagraph (B).

D. HULL INSURANCE

Providing coverage for the full insurable value of all vessels and associated cargo.

E. CONTRACTUAL LIABILITY INSURANCE

Covering the liability assumed by the contractor under this contract requiring him to indemnify and hold harmless the Town, its officers, agents and employees, from all claims directly or indirectly resulting from executing of the work, in the amounts specified in subparagraph (B).

F. PROOF OF CARRIAGE OF INSURANCE

The contractor shall furnish the Town with two (2) copies of all insurance policies, each of which must contain the following provisions:

- a. Such insurance shall not be cancelled, terminated, modified or
- b. Changed by either contractor or insurance company, except with
- c. 30 days prior written notice by the insurance company via
- d. Registered mail to the Town, attention Commissioner, Department of Parks.

G. PERFORMANCE BOND -The successful bidder will be required to post a performance bond in an amount equal to 100% of the proposed program participant revenue. The successful bidder shall be required to furnish said Performance Bond immediately after written notice of intent to award and upon receipt of such bond acceptable to the Town of Oyster Bay, shall be issued a service order.

### ***Evaluation***

The Town of Oyster Bay, Department of Parks, will conduct a preliminary evaluation of all proposals submitted by the deadline, to determine compliance with the proposal requirements. The department reserves the right to request additional information and conduct interviews to clarify a submitted proposal.

### ***Criteria***

For the purpose of further evaluation, the responsive proposals will be evaluated solely on the criteria below:

- Qualifications and experience of proposer, applicable to the operation and administration of a Environmental/Waterfront Education and Recreation Center.
- Proven performance and quality of current comparable operations.
- A comprehensive business plan.
- Reasonable, viable and sustainable financial return to the Town of Oyster Bay.
- Financial viability to operate all aspects of administration, management and relevant maintenance, as supported by documents submitted by the proposer.
- Quality and scope of programs and activities.
- Measure of duplicated services in the Oyster Bay Harbor area.

Responsive proposals will be ranked in each of the criteria above and assigned a point value according to rank. Town of Oyster Bay staff will independently formulate a recommendation of award

***Award***

The Town of Oyster Bay Parks Department shall notify all proposers in writing of the award recommendation. Once awarded, the selected organization will complete and submit any additional documents as required.

***Cost of Preparation***

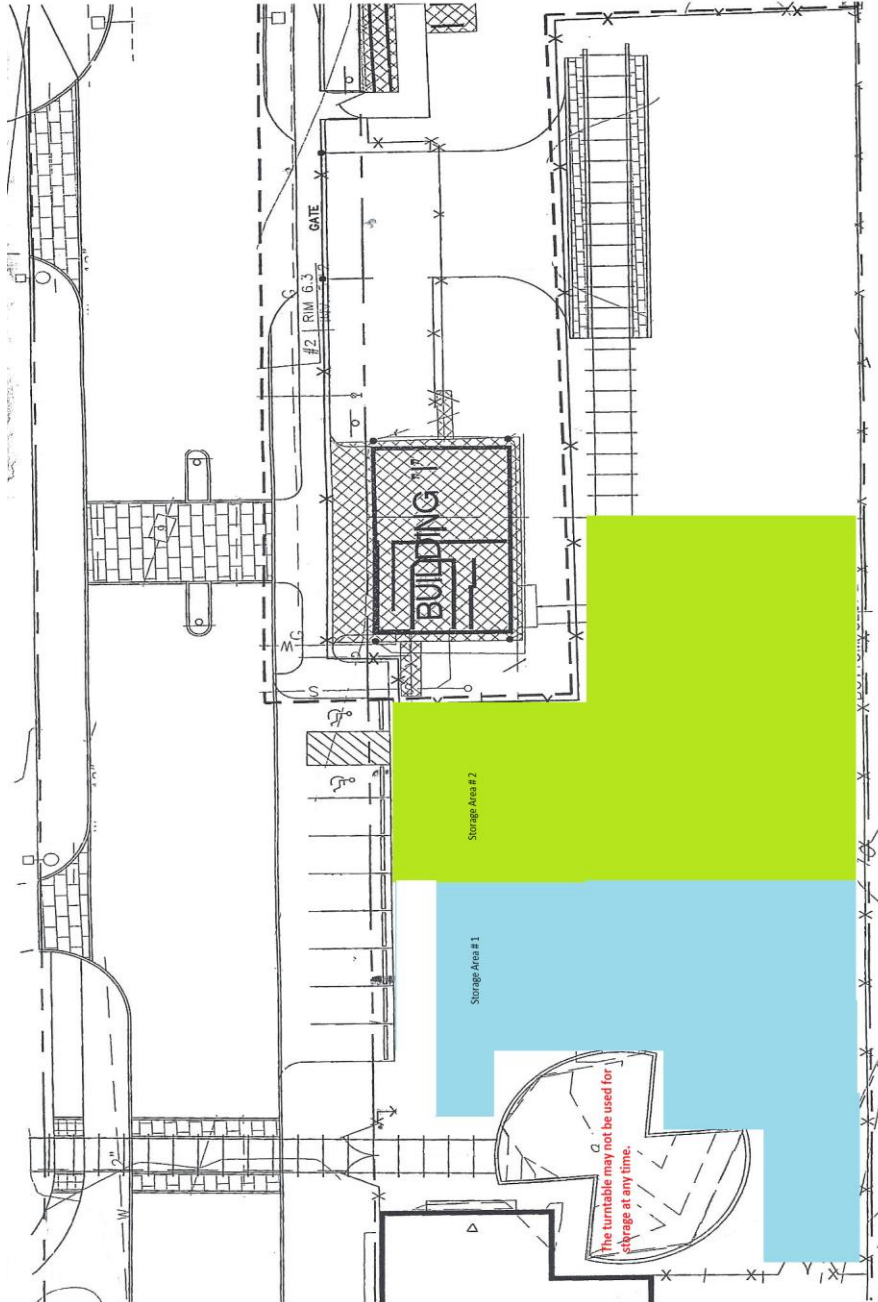
All costs of proposal preparation shall be borne by the proposer. The Town of Oyster Bay Parks Department shall not, in any event, be liable for any expenses incurred by the proposer in the preparation and/or submission of the proposal.

## **Appendix A – Facilities Description**

- 1) 200 Linear feet of dock
- 2) Paved parking facility (42 Spaces)
- 3) Paved access roads
- 4) Landscaped areas
- 5) Limited, paved outdoor storage for boats used exclusively for education and recreation owned and/or operated by the proposers. Second or third party storage is strictly prohibited.
- 6) Approximately 7500 square feet of outdoor storage
- 7) Waterfront access to Oyster Bay harbor.
- 8) Building “G” – Approximately:
  - a) 1000 square feet of office space,
  - b) 1000 square feet basement storage space
  - c) 800 Square feet of classroom/meeting space
  - d) 600 square feet of basement storage

*\* An inspection of the facility is required. This inspection is by appointment only.*

## Appendix B – Outdoor Storage Schematic







# Western Waterfront - Land, Water and Building Assignments



**Appendix D – Proposal Operations Matrix**

Activity	Proposed Annual License fee to the Town of Oyster Bay	Proposed Parking Requirements	Proposed Office Space Requirement	Proposed Classroom Time Requirements (per hour est.)	Proposed Pier Space Requirements (linear feet)	Proposed Pier Space Requirements (linear feet)
Marine Education Programs						
Sailing Lessons and related programs						
Sailboat Rentals						
<b>Total</b>						

Proposer: \_\_\_\_\_

Date: \_\_\_\_\_