

Request for Proposals  
Food and Beverage Services  
at  
Various Parks and Facilities



Department of Parks

Release Date: January 24, 2024  
Due Date: February 26, 2024 at 11 AM

Town of Oyster Bay  
Department of Parks  
977 Hicksville Road  
Massapequa, NY 11758  
Telephone: (516) 797-4118  
Fax: (516) 797-4145  
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## ***Introduction***

The Town of Oyster Bay, Department of Parks, operates swimming pools and skating rinks (indoor and outdoor) as well as other amenities at the facilities noted below. The Town of Oyster Bay, Department of Parks, seeks well-qualified individuals or firms to provide food and beverage services as well as development and improvements to the facilities that enhance the recreation experience.

Additional information regarding the requirements in this Request For Proposals (RFP) may be obtained by contacting:

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Town of Oyster Bay  
Department of Parks  
977 Hicksville Road  
Massapequa, New York 11758  
Telephone: (516) 797-4118  
Fax: (516) 797-4145

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

The objective of this RFP is to award a three (3) year License Agreement (“License Agreement”) from 2024 through 2027 to the individual or firm that will accomplish the following:

- Provide park patrons, at designated facilities, with an expansive and varied menu of cooked and pre-packaged food items as approved by the Commissioner of Parks and/or their designee.
- Provide park patrons, at designated facilities, healthy choice menu items as approved by the Commissioner of Parks and/or their designee.
- Provide park patrons, at designated facilities, with non-alcoholic liquid refreshments as approved by the Commissioner of Parks and/or their designee.
- Provide patrons with cooked and pre-packaged food items at special events and programs as scheduled and approved by the Commissioner of Parks and/or their designee.
- Provide patrons with non-alcoholic liquid refreshments at special events and programs as scheduled and approved by the Commissioner of Parks and/or their designee.
- Provide vending machines that dispense non-alcoholic beverages, snacks and other sundry items as approved by the Commissioner of Parks and/or their designee. Smoking items of any kind are prohibited. All vending machine locations are also subject to the approval of the Commissioner of Parks and/or their designee.
- Provide the Town with suitable recompense for the opportunity to provide retail food and beverage products at the noted facilities scheduled and approved by the Commissioner of Parks and/or their designee.

- Provide aesthetic improvements to the noted facilities that encourage patronage of the facilities.

The Town of Oyster Bay Department of Parks has instituted a full-day summer camp program at Syosset-Woodbury Community Park, Marjorie R. Post Community Park and Plainview Old-Bethpage Community Park. This all-day camp runs for six (6) weeks in duration and is attended by between 200 and 500 campers at each of the Community Parks mentioned above.

Respondents are encouraged to create, develop and provide a daily lunch program to campers as outlined below:

- Lunches with limited menu items, will be offered to campers on a daily and or weekly basis as approved by the Commissioner of Parks and/or their designee.
- Lunches may be prepared onsite in the concession area or offsite at the option of the concessionaire.
- All lunches should be offered between 11:30 AM and 1:00 PM daily and must be prepared, delivered and distributed at each site by the respondent.
- All fees generated by the camp lunch program would provide an additional revenue source to the concessionaire.

Respondents are also encouraged to continue lunch service program to support the summer hockey camp operated at the Town of Oyster Bay Ice Center for 10 weeks in duration. All fees generated by the Summer Hockey Camp lunch program would provide an additional revenue source to the concessionaire.

### ***License Agreement Term***

The Food and Beverage Service License Agreement shall be for a three (3) year term. The License Agreement shall also include two (2) two (2) year options to renew the License Agreement at the discretion of the Department of Parks, at a cost increase to be determined by the parties.

Operations may not be sublet to other firms or individuals, nor may the License Agreement be assigned to any other individual or entity without written consent of the Department of Parks after consultation with the Office of the Town Attorney.

Respondents shall submit a single proposal to implement/administer the License Agreement and any additional activities that may be proposed.

Proposals will be received and considered on the basis of: overall qualifications, financial status and capacity, the type, mode and features of operation and other relevant factors deemed to be in the best interest of the Town of Oyster Bay. The Town reserves the right to negotiate with any and all of the prospective Licensees, regardless of the license fee offered. The Town also reserves the right to decline any and all proposals.

### ***Site Visit***

All interested parties are welcome to visit the facilities listed below. A site visit will be scheduled by the Department of Parks. Prospective respondents should schedule their attendance by contacting the Department at 516-797-4118.

### ***Questions, Clarifications and Communications***

Any questions and/or requests for clarification of this RFP must be submitted in writing on or before Friday, February 9, 2024 to the authorized contact person identified above. E-mail and fax are acceptable; e-mail is preferable. Responses shall be issued by the Town in the form of an Addendum to this RFP. The Town shall make its best efforts to answer all questions received, but in no way warrants that responses will be provided to all questions. In the interest of fairness to all potential proposers, all questions, and any responses, shall be shared with all who have expressed an interest in this RFP.

All communications during the RFP process must be directed solely to the authorized contact person identified above. Communication with any other Town elected officials, employees or any member of the Town Evaluation Committee may be cause for disqualification from the RFP process.

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

The Town of Oyster Bay Department of Parks operates and maintains pools, sports fields and ice skating rinks at Town Park and Beach Facilities. These facilities provide an exceptional value in terms of recreational access and utilization. In order to fully realize the potential of the Town's facilities the Parks Department seeks proposals that demonstrate an imaginative and detailed approach towards realizing that potential.

The respondent should present a program that will adequately address the ability and methodology to provide food and beverages for facility patrons, as well as outline their vision for aesthetic improvements that expand the patrons' experience with a minimal amount of utility infrastructure and Town involvement.

The proposal should present a detailed outline, which fully describes the operation and food delivery structure for the successful implementation of food and beverages services as noted in the "Objective of Request for Proposal." The proposal should also contain a detailed explanation and description of the improvements to be made to each facility as noted in the "Objective of Request for Proposal." The food and beverage outline shall be used in the evaluation process and will be used along with the financial revenue to the Town of Oyster Bay to select the food and service provider. All outlines shall include the following requirements:

1. A list of existing equipment and items that would be utilized to fulfill the requirements of this RFP.
2. A listing of proposed seasonal concession hours based on the Town Parks operating schedule subject to the approval of the Commissioner of Parks and/or their designee.
3. The number of employees on staff and available to staff the noted facility.

4. A listing of similar public, private and/or municipal operations.
5. A detailed description of facility improvements.
6. A menu or sample menu that includes the current per item price.
7. A revenue model that provides a sustainable income to the Town of Oyster Bay.

***Operations and Facilities***

The Town of Oyster Bay will provide the following:

- Utilities (except telephone and fuel for cooking)
- Existing Town-owned food services equipment
- Internet access when available
- Space for the preparation and serving of food and beverages
- Locations within the noted facilities and electricity for vending machines

The Town of Oyster Bay *will not* provide or be responsible for the following:

- Testing and inspecting the Ansul system as required by the Nassau County Health Department and cleaning the exhaust hood
- All utility connections shall be furnished by the concessionaire
- Cable or Wi-Fi service
- Temporary or long term storage of food items or related materials
- Obtaining and maintaining all required permits and licenses
- Maintenance or cleaning of concession space, equipment or machinery
- Food and/or serving equipment

The Town will make every effort to ensure that space for food service is available for scheduled activities, but reserves the right to cancel or otherwise make space unavailable when:

- Weather conditions pose a risk or hazard to participants and/or Town staff.
- Repairs and or improvements are necessary.

The food and beverage area in the facilities listed below will be available to the concessionaire by the Town in conjunction with the commencement of this License Agreement in “AS IS” condition:

<u>FACILITY</u>	<u>LOCATION</u>	<u>AMENITIES</u>
Marjorie Post Community Park	Unqua Road and Merrick Road, Massapequa, NY	Seasonal Ice Skating Rink, Seasonal Swimming Pool
Bethpage Ice Skating Center & Bethpage Community Park	Stewart Avenue, Bethpage, NY	All year, indoor Ice Skating Rink, Seasonal Swimming Pool
Syosset Community Park	Jericho Turnpike, Syosset, NY	Seasonal Ice Skating Rink, Seasonal Swimming Pool, Sports Field
Plainview Community Park	Washington Avenue, Plainview, NY	Seasonal Swimming Pool, Sports

Theodore Roosevelt Memorial Park	Audrey and Maxwell Avenues, Oyster Bay, NY	Beach, Sports Fields, and other Amenities
Stehli Beach (Mobile Concession and Vending Machines only)	Bayville Avenue, Bayville, NY	Beach
Centre Island Beach (Mobile Concession and Vending Machines only)	East end of Bayville Avenue, Bayville, NY	Beach, Sports Field

### ***Requirements of the License Agreement***

The Department of Parks seeks operators with substantial financial capability and extensive experience in the operation of municipal concession and food delivery operations. Parties without substantial qualifying experience may not be considered.

- Licensee is required to have a sufficient number of trained qualified attendants on duty for proper operation of the food and service area at all facilities. Such personnel are to be employed by the Licensee subject to the approval of the Commissioner of Parks and/or his designee. Licensee agrees to a background check on employees if requested by the Commissioner of Parks and/or their designee. Licensee also agrees to replace any employee when directed by the Commissioner of Parks and/or his designee, due to inefficient work habits, misconduct or other reasons deemed appropriate by the Commissioner and/or their designee.
- The Licensee shall maintain all service contracts necessary to maintain, prepare, and service all equipment. Service contracts shall include emergency repair provisions for holidays, weekends, and evenings. Copies of said service contracts shall be provided to the office of the Commissioner.
- The Licensee shall provide a performance bond equal to one year’s license fee.
- The Licensee shall pay for telephone installation and monthly service.
- All fees charged to patrons by the Licensee under the terms of this agreement, are subject to the approval of the Commissioner of Parks and/or their designee.
- The Licensee shall grant access at all times to representatives of the Department of Parks for inspection and/or maintenance purposes.
- The Licensee shall be required to provide adequate insurance as specified in the “insurance” section and any additional insurance as required by the Town of Oyster Bay.
- The Licensee shall secure the prior approval of the Commissioner of Parks and/or designee prior to the publication, transmission, dissemination, or posting of any menu, signage, promotional materials, and advertising materials whether in print, on-line or on radio or television, which approval, if appropriate, shall be extended in a reasonably expeditious manner.
- In connection with marketing and publicity the Licensee agrees that any signage, promotional materials, and advertising materials whether in print, on-line, or on television, must be co-branded to include the Town’s seal, wordmark, and/or make mention of the

Town of Oyster Bay with approval of the Commissioner of Parks and/or their designee in advance.

### ***Disclosure of Conflicts***

The successful proposer shall be required to complete a disclosure questionnaire which will be e-mailed by and processed through the Town's vendor monitoring system. No award shall be made without the completion of this form.

### ***Proposal 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:

- A detailed resume for all principals and/or directors that includes experience in similar food service operations with emphasis on operations and success in public, private and municipal sector operations similar to the Town of Oyster Bay.
- A complete statement detailing the current financial standing of all the principals shall be required and should clearly demonstrate sufficient resources to properly conduct the requirements of this RFP.
- The proposal shall also include an organizational chart for the food and beverage service operation and a listing of any programs and services to be offered to the public.
- Proposers shall provide a detailed financial proposal describing the form and amount of the proposed license fee and any other type of financial remuneration to be paid to the Town by the proposer. Said proposal must include a statement of proposed monthly concession fee to be paid to the Town.
- Proposers may include a capital improvement plan as part of its response to this RFP. In the event that the proposer elects to submit a capital improvement plan, the proposer shall include a complete description of any capital additions, modifications or improvements the proposer intends to propose for the Facility, including the estimated cost and schedule for the completion of said additions or improvements. Said description shall be accompanied by such drawings, renderings and site plans as the proposer deems appropriate and necessary. The proposer shall describe in detail the justification for the proposed capital additions or improvements, including any anticipated operational and/or financial benefits to be derived therefrom. Designs for all capital improvements shall be subject to the prior approval of the Commissioner of Parks and/or their designee before any advertising for or acceptance of bids or award of contracts for construction.

**Proposers must submit six (6) hard copies (one signed original and five (5) copies) and (1) electronic copy of each proposal with additional relevant information. To be considered, a response must be received by the Department of Parks on or before Monday, February 26, 2024 no later than 11:00 AM.** To be considered timely received, both hard copies and electronic copy of the proposal must be received by the Department on or before the deadline established herein. In the interest of fairness to all participants, no extensions or exceptions will be permitted, unless issued as an addendum to this RFP and applicable to all proposers.

Greg Skupinsky, Deputy Commissioner  
Town of Oyster Bay  
Department of Parks  
977 Hicksville Road  
Massapequa, New York 11758  
Contact Email: [GSkupinsky@OysterBay-ny.gov](mailto:GSkupinsky@OysterBay-ny.gov)

***Hold Harmless Agreement***

Respondents are advised that any License Agreement shall require the Licensee to defend and indemnify the Town, its officials, and its employees against any claims or actions arising out of the Licensee's operation under the License Agreement.

***Insurance***

**INSURANCE**: The Contractor shall not begin any work until he has obtained and the Town has approved all the insurance and bonds required under this contract (**ORIGINAL INSURANCE CERTIFICATES AS OUTLINED BELOW**). Furthermore, the contractor shall maintain the required insurance during performance of the contract up to the date of final acceptance. The required insurance includes the following types of insurance in the amounts indicated. In addition, the bidder shall require certificates of insurance from all approved subcontractors, indicating the following coverage.

A) **WORKER'S COMPENSATION INSURANCE**

In accordance with the Laws of the State of New York, Worker's Compensation Insurance must cover all of the contractor's employees 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 sub-contractor'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 or GARAGE LIABILITY**

Including Premises and Operations Liability, Contractor's Protective Liability and Completed Operations and Product Liability, to protect the contractor and any subcontractor performing work in connection with this contract from claims for damages from personal injury, bodily injury, sickness or disease, including any resulting in death, as well as injury claimed to be sustained resulting from false arrest, detention and/or defamation of character, invasion of privacy, wrongful eviction and/or wrongful entry and from claims for property damage which may arise from operations connected with this contract, whether such operations be by the contractor or by any subcontractor or by anyone directly or indirectly employed by either of them.

**The Town of Oyster Bay shall be named as additional insured accompanied by an endorsement (CG 20 10 11 85 or equivalent) issued by the insurance carrier.**

The minimum amounts of such insurance must be as follows:

**Personal Injury/Property Damage - \$1,000,000.00 Each Occurrence**



## **General Aggregate - \$2,000,000.00**

When the limits of the policies are insufficient to meet the limits specified, the Contractor shall procure and maintain Commercial Umbrella and/or Excess Liability policies with limits in excess of the primary so the total amount of insurance coverage is at least equal to the requirement set forth above.

### **C) PROOF OF CARRIAGE OF INSURANCE**

The contractor shall furnish the Town with two (2) copies of all certificates of insurance policies, each of which must contain the following provisions: Such insurance shall not be cancelled, terminated, modified or changed by either contractor or Insurance Company, except with 30 days prior written notice sent by the Insurance Company via registered mail to the Town.

### **IMPORTANT!! NO AWARD WILL BE MADE WITHOUT PROPER INSURANCE**

**PERFORMANCE BOND** – The successful bidder shall be required to post a performance bond in an amount equal to 100% of the proposed Town of Oyster Bay revenue for first year. 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 Department of Parks shall conduct a preliminary evaluation of all proposals submitted by the deadline to determine compliance with proposal requirements. The department reserves the right to request additional information to clarify a submitted proposal. For the purpose of further evaluation, the responsive proposals shall be evaluated on the criteria below.

#### ***Evaluation Criteria***

1. Qualifications and experience of proposer in the food and beverage service industry.
2. Proven performance and quality in a current or past, public, private or municipal operation similar to the Town of Oyster.
3. A comprehensive business plan with an emphasis on a vision for services to Town of Oyster Bay residents.
4. Facility Improvements: The attractiveness and potential benefits to the Town of the respondent's proposal for facility improvements.
5. Financial Proposal: a reasonable, viable and sustainable fee payment to the Town of Oyster Bay.

Responsive proposals shall be ranked using all of the above-mentioned requirements and criteria. Interviews may be requested by the Town as needed. The Town of Oyster Bay will independently formulate a recommendation of award.

***Award***

The Department of Parks shall notify all respondents in writing of the award. Once awarded, the selected firm or individual shall complete and submit any additional documents as may be required by the Department of Parks or the Office of the Town Attorney.

***Cost of Preparation***

All costs associated with the preparation and submission of a proposal shall be borne by the respondent. The department shall not, in any event, be liable for any expenses incurred by the proposer in the preparation and/or submission of the proposal.