



# Gateway National Recreation Area Bay 9/ East Mall Building 2014 Request for Proposals





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## **Request for Proposals Bay 9/East Mall at Jacob Riis Park Leasing Opportunity at Gateway National Recreation Area**

<b>Request for Proposals Issued:</b>	October 24, 2014
<b>Site Visit #1:</b>	October 30, 2014
<b>Site Visit #2:</b>	November 6, 2014
<b>Question Submission Deadline:</b>	January 5, 2015
<b>Proposal Submittal Deadline:</b>	January 22, 2015
<b>Anticipated Date for Selection:</b>	February 20, 2015
<b>Anticipated Lease Commencement: (Effective Date Subject to Negotiation)</b>	March 30, 2015

Proposals must be received by the National Park Service no later than 5:00 PM (ET) on the due date listed above and should be addressed to:

Superintendent  
Gateway National Recreation Area  
210 New York Avenue  
Staten Island, New York 10305  
Attention: Bay 9 RFP

Proposals may also be submitted electronically at [Gateway\\_BMD@nps.gov](mailto:Gateway_BMD@nps.gov) .

Interested parties may attend either site visit. Each interested entity may bring up to three (3) attendees on a site visit. RSVP for site visits: Gateway National Recreation Area Business Management Division, via email at [Gateway\\_BMD@nps.gov](mailto:Gateway_BMD@nps.gov). Please include the names of those who will attend.

Questions must be submitted in writing via email to [Gateway\\_BMD@nps.gov](mailto:Gateway_BMD@nps.gov) or by mail at:

Business Management Division  
Gateway National Recreation Area  
210 New York Avenue  
Staten Island, New York 10305  
Attention: Bay 9 RFP

Questions and their answers will be posted as Frequently Asked Questions (FAQs) on the NPS website and be viewable by the public.

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## I. Background

### A. Gateway and Jacob Riis Park

Gateway National Recreation (GATE) Area was established in 1972 as the nation's first urban National Park. Its 26,000 acres are operated by the National Park Service which manages more than 400 parks and historic sites nationwide. Gateway NRA is comprised of three park units in two states - The Jamaica Bay and Staten Island units in New York, and the Sandy Hook Unit in New Jersey. Jacob Riis Park, which contains the Bay 9 facility offered in this Request for Proposals (RFP), is part of the Jamaica Bay Unit of GATE.

Jacob Riis Park was established in 1912, and is named for the noted reformer and photojournalist who dedicated his life to showcasing the plight of the urban poor. The site was used by the United States Navy as Naval Air Station-Rockaway from 1917 to 1928, where the first airplane to make a crossing of the Atlantic Ocean departed on May 8, 1919. After the Navy left, the 220-acre Riis Park was redeveloped for seaside recreation. The historic Riis Beach Bath House was opened in 1932, and remodeled during a major expansion of the park in 1937 under longtime New York City Parks Commissioner Robert Moses. It was during this period that the Central Mall Buildings, which include the Bay 9 site, were constructed. Jacob Riis Park was incorporated into Gateway National Recreation Area in 1974. The park was listed on the National Register of Historic Places in 1981.

After several decades of decline, Jacob Riis Park has experienced a dramatic recovery in recent years as interest in the Rockaways has flourished. The restoration enjoyed by neighborhoods along Rockaway Beach has spread to these NPS sites as well, as beachgoers flock from communities around the region to take advantage of the mile-long white sand beaches and growing beach culture.

In October 2012, Hurricane Sandy devastated the region and the Rockaway Peninsula suffered some of the most severe damage. Water engulfed properties on the beach and bay sides, destroyed homes and other structures, and caused significant damage to a number of NPS buildings. However, the elevated location of the Bay 9 building, relative to the rest of Riis Park, protected it from serious harm.

## II. Opportunity

### A. NPS goals

Gateway NRA is seeking to lease Bay 9 to provide fresh, creative, and diverse food and beverage options. This goal is part of the NPS's vision to create a destination known for not just its sand and sea, but also for its food and enhanced seaside attractions. Riis Beach has become an increasingly popular draw with a diversity that reflects New York City as a whole. Beach visitors have the option to arrive via cars (to the 9,500 vehicle lot), city bus (2 MTA bus lines), charter buses, boat (to Riis Landing), and bicycle. Given the popularity of the beach, and the demand for quality services, this opportunity has the potential to not only serve existing demand, but create even more interest in Riis Beach as a destination.

The NPS is seeking a Lessee to provide high quality food and beverage services and maintain the Bay 9 facility to meet NPS standards at Riis Beach. The operation should have an inviting character, offer a menu and service level that distinguishes the operation as a quality destination within the park, attract new and more diverse beachgoers, and better serve the surrounding community. In addition to food and beverage offerings, Applicants are invited to propose outdoor activities and entertainment such as live music, poetry readings, movie nights, comedy shows, or other entertainment that is complimentary to the park.

Offerors are also welcome and encouraged to include plans for small mobile or temporary satellite food and beverage services including; push carts, mobile facilities, moveable cargo container food stands, and food trucks. These mobile and temporary services may operate in addition to the Bay 9 location and the operator may sub-lease these operations with NPS approval. The NPS may elect to allow mobile/temporary operations by other operators under separate permits in areas or at times not served by the Lessee.

In particular, respondents may wish to consider proposing a mobile or temporary unit on the western portion of the Riis boardwalk, which is near the primary access point to Fort Tilden, a very popular beach which is also managed by the NPS.

Offeror may seek any and all permissions required under law to serve wine and beer.

The NPS would also welcome proposals to make the Bay 9 facility a WiFi hotspot as a means to attract additional customers.

### B. Property description

The properties offered for lease under this RFP consist of the historic Bay 9 building and patio. This is the prime location on the boardwalk at the widest part of the Riis Park beach. The 6,000-square-foot brick and masonry single-story structure – which mirrors an identical building to the west – is a classic example of public park design during the Works Progress Administration (WPA) era with a graceful curved facade that helps define an outdoor patio area overlooking the beach. The building includes a small, separate retail unit on the east end that may not have operable utilities but is available as part of this lease for use as a “surf shop” or beach sundries stand, subject to any necessary repairs that may be undertaken by the proposed Lessee.



During the Spring of 2014, GATE invested funds to restore the Bay 9 facility which includes: extensive



Produced by Mark Christiano - GATE

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repairs to walls, ceilings, doors, roof, windows, as well as rehabilitation of the tile walls and floors. The HVAC, fire suppression, water, and electrical systems are in working condition. The facility includes three walk-in refrigerators, a walk-in freezer, prep tables, sinks, and exhaust systems, all of which are fully functional. A new operator would need to provide a cook top, dishwasher, personal kitchen equipment, tables, chairs, dishware, and all other fixtures, furniture, and equipment necessary to operate the facility as described.

Additional structures along the Riis Beach boardwalk continue to be rehabilitated; as these structures come on line, the NPS may offer an additional location under the Lease, called Bay 6 (or the Clockstand). The approximately 400 square foot single story structure is near the midpoint of the beach, east of Bay 9. Expansion of the demised Premises through mutual agreement with the Lessee is at the NPS' discretion.

### C. Property location

Riis Park is located on the western end of the Rockaway Peninsula, within the Borough of Queens. It is accessible by car via two bridges and is connected to two city bus routes. Subway transit requires a bus transfer. A city bus stop is conveniently located nearby. There is ample parking at the Riis Park parking lot.

Bay 9 is situated on the boardwalk, adjacent to handball courts, a popular family picnic area, and a bi-

cycle rental service. It is also near the Riis Park Pitch and Putt golf facility. The site is close to Fort Tilden, another NPS site to the west, that has become very popular with beachgoers but currently lacks established services.

### **III. The Competition**

#### **A) Overview**

This Lease opportunity is open to all interested persons and businesses on a competitive basis. The proposal judged best under the proposal selection criteria will be given an opportunity to negotiate a final Lease agreeable to both the selected Applicant and NPS.

To be selected by the NPS, the Applicant must demonstrate the capability to plan and finance your proposal. Evaluation criteria and the process for Lessee selection are described in detail in the sections called "Proposal Selection Criteria" and "Evaluation and Selection Process" in this Request for Proposals.

The NPS reserves the right to reject one or all proposals or terminate Lease negotiations at any time prior to executing a final lease without penalty or liability.

#### **B) Authority**

The NPS has the authority to lease historic buildings through the National Historic Preservation Act (16 U.S. C. Section 470h-3), as amended and the National Park Service General Leasing Authority 16 USC 1a-2(k) passed in 2001 which authorizes the NPS to lease federally owned property within boundaries of the park.

This RFP is issued under the authority of 36 CFR Part 18. This RFP and the offered Lease are subject to and incorporate all terms and conditions of Part 18 as applicable. In the event of any conflict between the terms of this RFP and Part 18, Part 18 controls.

#### **C) Site Tour and Additional Information**

The NPS will hold site tours on October 30 and November 6, 2014, from 10:00 AM to 1:00PM.

Interested parties may attend on either date. Each site visit will begin at 10:00 AM regardless of whether the RFP has been officially advertised at that time. These site visits will allow all interested parties to tour the Premises and building location. Each interested entity may bring up to three (3) attendees on a site visit. Parties interested in attending these site visits are asked to RSVP to the Gateway National Recreation Area Business Management Division, via email at Gateway\_BMD@nps.gov by 4:00 PM (ET), no later than two days in advance of the date of the tour in which they want to participate. Please include the names of those who will attend in the email.

Questions not addressed in this RFP will be collected and responded to through issuance of Question & Answers (Q&A) to all registered interested parties. Questions must be submitted by January 5, 2015 via email to Gateway\_BMD@nps.gov or by mail at Business Management Division, Gateway National Recreation Area, 210 New York Ave, NY 10305. Questions and their answers will be posted as Frequently Asked Questions (FAQs) on the NPS website and be viewable by the public.

#### **D) Proposal Submission Requirements**

Applicants can either submit proposals via Gateway\_BMD@nps.gov or submit two (2) paper copies of your proposal accompanied by a transmittal letter signed by a principal of the proposed Lessee. The copies must be on 8-1/2" x 11" paper, with double-sided copying.

The proposal hard copies must be enclosed in a sealed envelope and received at the NPS office stated below by the date and time stated above. The face of the sealed envelope must state the Applicant's name and address along with the statement "BIDS ENCLOSED - MAILROOM DO NOT OPEN" for delivery to the following address:

Superintendent  
Gateway National Recreation Area  
210 New York Avenue  
Staten Island, New York 10305  
Attention: Bay 9 RFP

Applicants must submit along with your proposal a flash drive or CD/DVD with a .pdf of your entire proposal and an Excel file for Attachment C – Financial Forms.

Proposals must be delivered in person, by e-mail, by the U.S. Mail, or by another delivery service. Proposals submitted by telephone, fax, or other methods will not be considered. Proposals will not be returned.

Proposals that are not received electronically or at the designated address by the specified deadline will not be considered. NPS will not consider proposals that have been mailed or postmarked prior to the deadline but which are not delivered to the designated address prior to the deadline.

## E) Proposal Selection Criteria and Required Responses

The NPS requires clear and concise answers. Please respond fully and accurately to all questions/requests and label your responses accordingly. If the required information is not provided, the proposal may be determined non-responsive and will not be evaluated further.

### Overview

The NPS will review all responses to this RFP through an evaluation panel. Proposals will be reviewed to ensure they adhere to the requirements outlined in this RFP and were submitted on time. Proposals that do not meet these requirements will be considered non-responsive and eliminated from consideration. NPS will select the best responsive proposal received under this RFP based on the criteria outlined below.

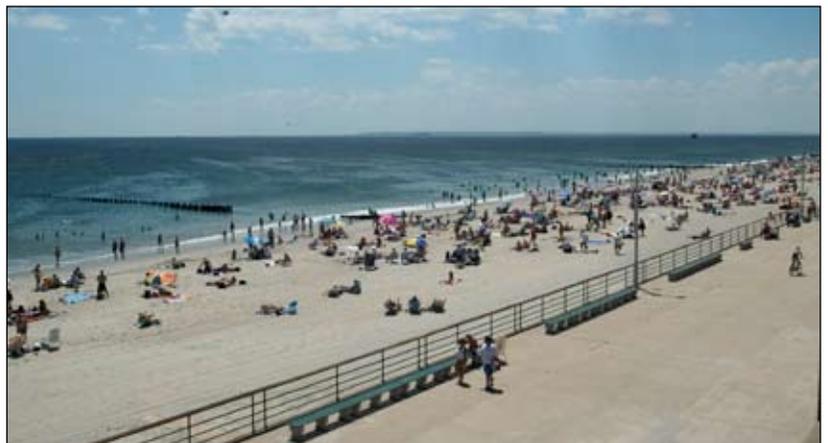
### Criterion 1 - Use (10%)

*The compatibility of the proposal's intended use of the Leased Property with respect to preservation, protection, and visitor enjoyment of the park.*

#### NPS Objective:

Proposals must be compatible with the vision of Riis Beach as a vibrant, public beach open to visitors from near and far, and that provides quality food and amenities. Although there is high summer seasonal demand, the NPS is interested

in encouraging an extended operating season. Applicants are invited to propose outdoor activities and entertainment such as live music, poetry readings, movie nights, comedy shows, or other arts-based entertainment.



**Required Response:**

- Please describe in detail how you plan to operate a food and beverage operation at Riis Beach in the Bay 9 building during peak summer season as well as how you might encourage extended seasonal use of the facility. Applicants should describe, if applicable, what activities and entertainment they would provide.

**Criterion 2 - Financial (15%) & Rent (5%)**

*The financial capability of the Offeror to carry out the terms of the Lease and the amount of rent offered.*

**NPS Objective:**

The NPS is interested in a full range of high quality food options from quick snacks to sit down meals. Beer and wine offerings are authorized. The restaurant in Bay 9 and will also consider proposals that include additional food and beverage services throughout Riis Beach via mobile or modular units. The Applicant must be capable of making the financial investment required for the level of service the Applicant proposes.

No annual rent bid in an amount less than \$50,000 for each year shall be accepted.

**Required Response:**

- Submit documentation identifying the source and availability of funds for the estimated investment costs through bank statements, bank financing commitment letters, or similar documents as described in Attachment E Financing. You will also be required to describe start up costs you will allocate and personal property investment you will make including all furniture, fixtures, and equipment (FF&E) you propose in connection with this opportunity. Attachment C Financial Form Instructions and Attachment D Financial Forms should be used for this response.
- State how much annual rent you offer to pay. The rent payment schedule will be negotiated with the selected Applicant. The amount of rent offered may not be less than the fair market value rent (\$50,000 annually) as determined by the government. The amount of rent offered should be entered where appropriate in Attachment D Financial Forms.

**Criterion 3 - Experience (20%)**

*The experience of the Offeror demonstrating the managerial capability to carry out the terms of the lease.*

**NPS Objective:**

To obtain a food and beverage operator at Bay 9 who has the experience necessary to successfully develop and manage a high quality food service operation with a concept that will attract customers as a destination. This operator will also need to demonstrate a capacity to accommodate large crowds and to expand food and beverage service operations as demand dictates. Examples of themes include (but are not limited to): beer gardens, taquerias, crab shacks, etc.

**Required Response:**

- Describe your experience operating a high quality food and beverage service.
- Describe how your experience and background qualifies you to operate a uniquely themed restaurant/snack bar at Bay 9.
- Submit a detailed business plan describing the proposed operations including theme/concept, menu, marketing, and design.

#### Criterion 4 - Sustainability (5%)

*The ability and commitment of the Offeror to conduct its activities in the park area in an environmentally enhancing manner through, among other programs and actions, energy conservation, waste reduction, and recycling.*

##### **NPS Objective:**

NPS seeks a Proposal that offers eco-friendly alternatives for operation of a food and beverage

operations. References to consider: [http://www.nature.nps.gov/climatechange/docs/NPS\\_CCRS.pdf](http://www.nature.nps.gov/climatechange/docs/NPS_CCRS.pdf) . Applicants should include in their plans the use of Energy Star or similar efficient appliances, and incorporate environmentally friendly green products in their operations (see the Green Restaurant Association's endorsements at [www.dinegreen.com](http://www.dinegreen.com) or the list of certified "Green Seal" products at [www.green-seal.org](http://www.green-seal.org)). Preference will be shown to proposals that commit to these products and practices.

Offers should take into account climate change risks and storm preparedness plans that address the potentially vulnerable location.

##### **Required Response:**

- Describe your proposal for managing and using the property in an environmentally enhancing manner through programs and actions you may propose, energy conservation, waste reduction, and recycling.
- Describe your storm preparedness plan

#### Criterion 5 - Preservation (5%)

The property is a historic property; the compatibility of the proposal with the historic qualities of the property.

##### **NPS Objective:**

For the operator to take full responsibility for all repairs and maintenance of the occupied facility. Additionally, any work performed on the structure must conform to all applicable standards and be compatible with the site's status as a National Historic Landmark District.

##### **Required Response:**

- Submit detailed conceptual renderings, anticipated Furniture, Fixtures and Equipment (FF&E) and signage installations depicting the design, style, and materials to be used.
- Submit a description of how the building will be maintained.

#### Criterion 6 - Menu (15%)

*Healthy Parks Healthy People is a global movement that harnesses the power of parks and public lands in contributing to a healthy civil society.*

##### **NPS Objective:**

To engage Applicant(s) with the ability and commitment to serve healthy, fresh, ethnically, and seasonally diverse foods across a spectrum of price points. Applicant(s) should be able to create a strong concept and convert this theme to menu items of high quality and consistency. Food choices should appeal to a broad audience serving the diverse and eclectic customer visitor base.

##### **Required Response:**

- Submit a sample menu including: graphic representations of offerings, ingredients, and proposed pricing.

## Criterion 7 - Operations (25%)

The Lessee is expected to operate and maintain the premises at the highest standards. All operations should make a significant improvement to the ambience of the park and raise the level of quality of food and service to the public. The NPS is looking for an operator who will introduce innovation to the park and keep it fresh and inviting year after year.

### **NPS Objective:**

The NPS seeks beachfront food and beverage operations that not only meet historical demands at Riis Beach, but would serve to attract new customers. The NPS will expect the operator to undertake and maintain a robust and multifaceted advertising and marketing program using multiple media platforms to promote Riis Beach and the services and activities offered by the operator.

NPS is seeking consistent food and beverage operation at Riis Beach and will favor proposals that complement the core operating hours of 10:00 AM to 10:00 PM, 7 days per week between Memorial Day weekend and Labor Day.

Additionally, NPS will favor proposals that include plans for small mobile or temporary satellite food and beverage services including; push carts, mobile facilities, moveable cargo container food stands, and food trucks. These mobile and temporary services may operate in addition to the Bay 9 location and the operator may sub-lease these operations with NPS approval. Proposed locations must be within the boundaries of Riis Beach as depicted in Attachment H; however, additional locations in Fort Tilden may be considered.

Ancillary services such as Wi-Fi, retail sales, beach rentals will also be considered.

### **Required Response:**

- Provide a proposed schedule. Please note any change in proposed hours of operations between seasons.
- Describe strategies for marketing and advertising, and methods of interactive media platforms the operator will employ.
- Describe the mobile/modular operations proposed, if any.
- Using a location map, identify where additional food and beverage locations are proposed.
- Identify whether you will operate all locations or whether you intend to sublease.
- Provide the proposed hours of operations for all locations (Bay 9, mobile/modular).

## **F) Evaluation and Selection Process**

The National Park Service will review all responses to this RFP through an evaluation panel assisted by technical consultants as appropriate.

All proposals will first be screened for adherence to the requirements of this RFP. NPS will not consider non-responsive proposals. A non-responsive proposal is a proposal that was not timely submitted or fails to meet the material terms and conditions of this RFP as determined at the sole discretion of the NPS. The NPS will select the Applicant best-suited to provide food and beverage services based on responses to the selection criteria. The NPS will negotiate the terms of the final Lease with the successful Applicant. If negotiations with the selected Applicant fail, the NPS may negotiate with other Applicants for award of the offered Lease or terminate this solicitation without liability to any person.

The NPS, in its sole discretion, will determine whether the Applicant's experience and financial capability match the scale and scope of the proposal.

The NPS reserves the right to reject one or all proposals, or terminate lease negotiations at any time prior to executing a final lease without penalty or liability.

## **G) Additional Information and Modification of Proposals**

NPS may request additional information or written clarification of a proposal from any Applicant after the submission date. However, proposals may not be amended after the submission date unless permitted by the NPS. The NPS may not permit amendment of a proposal unless all Applicants that submitted responsive proposals are given an opportunity to amend their respective proposals.

## **H) Confidentiality – Proposals Considered Public Documents**

All proposals submitted in response to this Request for Proposals may be disclosed by the NPS to any person, upon request, to the extent required or authorized by the Freedom of Information Act (5 U.S.C. § 552). If you believe that your proposal contains trade secrets or confidential commercial or financial information exempt from disclosure under the Freedom of Information Act, mark the cover page of each copy of the proposal with the following legend:

“The information specifically identified on pages of this proposal constitutes trade Secrets or confidential commercial or financial information that the Applicant believes to be exempt from disclosure under the Freedom of Information Act. The Applicant requests that this information not be disclosed to the public, except as may be required by law.”

Applicants must specifically identify what you consider to be trade secret information or confidential commercial or financial information on the page of the proposal on which it appears, and you must mark each such page with the following legend:

“This page contains trade secrets or confidential commercial and financial information that the Applicant believes to be exempt from disclosure under the Freedom of Information Act, and which is subject to the legend contained on the cover page of this proposal.”

Information so identified will not be made public by the NPS except in accordance with law. The NPS does not warrant and assumes no liability for the accuracy of the information provided in this RFP.

## **IV. The Lease**

The NPS is seeking Lease Proposals from interested individuals and business organizations to operate a diverse food and beverage operation that will help make Riis Beach attractive to a larger and more varied group of visitors.

The NPS anticipates that the Lease will become effective March 30, 2015. Key information about the authorized use is summarized below.

The Lease to be awarded under this RFP will contain the provisions required by 36 CFR Part 18 as well as other provisions determined by NPS to be necessary to assure use of the leased property in a manner consistent with the purposes of the park area, and where applicable, to assure the preservation of historic property.

The selected Applicant (Offeror, proposed Lessee, Applicant, ‘you’, ‘your’) will have exclusive rights to negotiate and enter into a Lease that is not materially different from the attached Draft Lease (See Attachment A).

### **A. Terms and Conditions (summary)**

- 1. Permitted uses:** The proposed Lease will authorize use of the Bay 9 building for a beachfront food and beverage operation and complimentary family-friendly events. The food and beverage service

can include a mix of hot and cold food, casual dining and take-out options, and beverages. The selected operator must obtain a valid NY State Liquor License in order to sell any alcoholic beverages. The selected operator must provide the NPS advance notice and receive approval for events proposed on the corresponding land assignment. NPS reserves the right to reject any event that it deems detrimental to the park resources or to park visitors. Event examples include movie nights, trivia contests, live music, comedy shows, or similar events that encourage extended daily visits and appeal to a broader customer base.

2. **Lease terms and payment:** The terms of the Lease will be negotiated with the selected applicant; however, the term is proposed at five (5) years.
3. **Rent:** The minimum annual rent is \$50,000 as determined by the NPS. The rent payment will be adjusted annually by CPI, as described in the Draft Lease in Attachment A. Applicants may submit proposals with an offer to pay a higher rent to enhance the competitiveness of their submission. Applicants should include a rent payment schedule as part of their proposal.
4. **Utilities:** The Lessee is responsible for all utility costs and maintenance, including electric, gas, sewer and water.
5. **Insurance:**
  - a. **Flood** - Lessee must obtain Flood Insurance in sufficient coverage amounts. Applicants must provide evidence that such coverage is available in their response to this RFP. Otherwise, as part of this RFP, Applicants may request a waiver from the requirement to provide Flood Insurance based on supporting evidence that Flood Insurance is not available or so cost prohibitive as to render the Applicant's proposal infeasible.
  - b. **Liability** - Lessee must provide Liability Insurance coverage in amount of \$1 million per occurrence/\$3 million aggregate (see Draft Lease in Attachment A)
  - c. **Property** - Lessee must provide Property Insurance coverage sufficient to provide adequate coverage commensurate with the risks customarily evaluated in the ordinary course of business, for such use, in such a location. The Lessee must also provide Property Insurance coverage adequate to cover loss in the event of fire, vandalism and mischief.
6. **Advanced rent payment:** Applicant is required to provide the first month's rent upon execution of the lease.

**Maintenance Reserve Escrow:** The Lessee will be required to deposit \$5,000 with the NPS in an escrow account at Lease signing to ensure satisfactory performance and maintenance at the Bay 9 facility. Operators are responsible for all maintenance and cleaning expenses at Bay 9. These escrow funds will be used by Gateway NRA in the event there is an immediate need for cleaning or repair of the leased property and the operator is unable or unwilling to cover the cost. If unused, this money will be returned to the licensee at the end of the lease term.

**Inspections:** In addition, Gateway NRA, or its partners, affiliates or contractors, maintains the right to inspect the Bay 9 property and operation at any time during the term of the lease, without prior notice, to ensure compliance with the negotiated Lease agreement, park regulations, and public laws. Based on these inspections, NPS may issue written notices of deficiencies and provide a time-frame in which the problem must be rectified. If problems are not resolved sufficiently, NPS may issue a second notice and correction deadline. If the deficiency persists, NPS may assess financial damages to the operator for violations. The Bay 9 facility must complete a NPS federal health and sanitary inspection to the satisfaction of the NPS before the food and beverage business can open to the public. Gateway NRA will work with the Lessee to arrange this final inspection, conducted by a member of the Gateway staff, at the earliest convenient time. Lessee will be required to maintain and provide satisfactory inspection reports on site throughout the course of the Lease.
7. **Trash:** Scheduled trash removal is required on a frequent basis at the Lessee's cost and expense. The NPS reserves the right to demand additional trash pick up at the Lessee's cost and expense. The Lessee must identify the manner by which rubbish removal will be managed, including the number and location of all trash and recycling bins and the logistics for emptying these bins, waste removal, and the separation and processing of recyclable materials. Additionally, Lessee must provide a proactive and preventive Pest Control strategy including but not limited to monthly inspections of the premises. Pest Control strategies should consider products and services that limit negative environmental impacts.

8. **Maintaining Clean Facilities:** All facilities must be kept clean and well-maintained. Tables, chairs, and umbrellas must be clean and washed on a frequent and consistent basis. Maintenance of grease traps and other kitchen elements is required. Lessee will be required to maintain and provide satisfactory inspection reports and cleaning logs on site throughout the course of the Lease.
9. **Permits:** Permits are required for any event proposed outside of the Leased Premises. Park Management reserves the right to reject or cancel any event where it deems the activity a threat to the park's natural and cultural resources, the activity is unsafe or otherwise poses a threat to visitors, or conflicts with the park's mission and values. Park management also reserves the right to reject or cancel any event in case of emergency as determined by NPS, or in the event of parking restrictions and an inability to accommodate the proposed number of vehicles.
10. **Building Capacity:** The Lessee will identify the building's occupancy capacity for for both indoor events and for indoor/outdoor events in accordance with applicable codes. Building and patio capacity as well as seating plans must be approved by the Park.
11. **Parking:** Parking for approximately 9,500 vehicles is available in the Riis Beach Parking Lot on a first come, first served basis. The Lessor is prohibited from waiving parking fees. Additional parking may be authorized at the Lessor's discretion. The Lessee is required to comply with any parking determinations made by the Lessor.
12. **Alcohol:** Alcohol may be consumed within the Leased Premises and Lessee must comply with all applicable laws and maintain any required licenses, permits and/or certificates, including liquor licenses and corresponding insurance.

## B. Restrictions

1. Lessee has no right of renewal for the Lease;
2. Construction of new or additional facilities is prohibited;
3. NPS must approve any sub-lease;
4. Candles and other open flames are not permitted;
5. In the event of a government shutdown, access to leased facilities is permitted. However, no use outside of the inholding/leased facility is permitted on park lands and waters.
6. Operating hours: The park is open 5:00 AM – 8:00 PM from November 1 to March 31 and 5:00 AM – 10:00 PM from April 1 to October 31 however; certain areas of the park are subject to different hours of visitation/operation. Jacob Riis Park and the Riis Park Parking Lot are open from 6 a.m. to midnight. Events expected to go past 8:00 PM from November 1 to March 31, or past 10:00 PM from April 1 to October 31 may require onsite Supervision, the cost of which may be considered additional rent. Noise violations may result in issuance of a U.S. District Court Violation Notice pursuant to 36 CFR 2.12 (Audio Disturbance) and / or 36 CFR 2.34 (a)(3) Disorderly Conduct.

## C. Record Keeping

1. Lessee must keep detailed records of costs and expenditures associated with Repair and Maintenance projects in Excel format.
2. Lessee must provide copies of all warranties which must include a provision that all warranties are transferable to the United States, as well as operation and maintenance records, manuals, and schedules provided by the manufacturer.
3. Lessee must maintain Point of Sale records of all gross receipts, invoices and records of cost of goods sold, customer counts, and revenue per sales category.

## V. Proposal Package

### A. Format and process

Applicants should submit proposals by electronic mail (email), postal mail or by hand delivery. If Applicants are submitting a response by any method other than electronic mail, the package should contain two (2) paper copies of the proposal, as well as a CD/DVD or memory stick containing a PDF of the entire

proposal. All proposals, regardless of the method of submission, must be accompanied by a transmittal letter signed by a principal of any organization or entity responding to this RFP. Hard copy submissions must be printed double sided on 8-1/2" x 11" paper. Proposals delivered by any method other than electronic mail must be enclosed in a sealed envelope and the face of the sealed envelope must state the Applicant's name and address along with the statement "BIDS ENCLOSED - MAILROOM DO NOT OPEN" for delivery to the following address:

Superintendent  
Gateway National Recreation Area  
210 New York Avenue  
Staten Island, New York 10305  
Attention: Bay 9 RFP

Proposals submitted via email can be sent to Gateway\_BMD@nps.gov using the subject line "Bay 9/East Mall Bid."

All proposals must be received by January 22, 2015 at 5:00 PM (ET).

Effective proposals will be organized with the same format and numbering system as this RFP and will contain clear, concise answers that address all the questions raised. Proposals that do not specifically answer all questions or provide the necessary documentation will be deemed non-responsive and not evaluated further.

#### **B. Applicant identification**

Proposals should include the following information for any Applicants involved and all principals of any corporate entity seeking to operate the Bay 9 site:

Name of individual, title, address, phone number, and email address of primary contact person

If applicant is an entity, provide names and contact information of each partner, proprietor OR controlling principals

- Proposals should also detail the nature of the Applicants' corporate entity or partnership details, existing or proposed.
- As applicable: relevant/related professional licenses or special skills/designations
- Required experience. *Applicants must have experience operating food and beverage facilities.*

#### **C. Required Documents**

- Transmittal Letter
- Applicant Identification
- Proposal:
  - Responses to Criteria 1 through 7
  - Supporting documentation to convincingly answer Criteria 1 through 7
  - Proposal not to exceed twenty-five (25) pages, not including attachments
- Completed Attachment D
- Completed Attachment E

### **VI. Attachments (on-line at [www.nps.gov/gate](http://www.nps.gov/gate))**

- A. Draft Lease
- B. Transmittal Letter Template
- C. Financial Form Instructions
- D. Financial Forms
- E. Financing
- F. Bay 9/ East Mall floor plans
- G. Proposed property assignment



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