

**ADDENDUM #1  
SOLICITATION # 2021-M5-SB**

***TO***

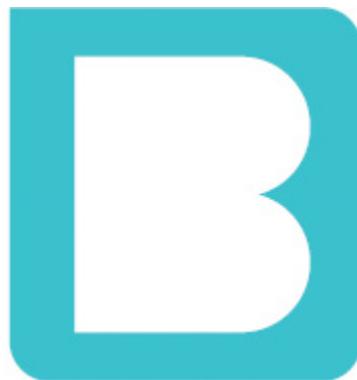
**REQUEST FOR PROPOSALS**

***FOR***

**THE OPERATION OF TWO FOOD KIOSKS IN THE BOSQUE**

**AT**

**THE BATTERY  
MANHATTAN**



**RFP ISSUE DATE:**

February 25, 2021

**ADDENDUM #1 ISSUE DATE:**

March 19, 2021

One Whitehall Street, 17<sup>th</sup> Floor, New York, NY 10004  
[www.thebattery.org](http://www.thebattery.org)

## RFP – Responses to questions received through March 18, 2021

The Battery Conservancy (TBC) and the New York City Department of Parks & Recreation (NYC Parks) are requesting proposals for the operation of two food service kiosks within the four-acre Bosque gardens at The Battery.

TBC and NYC Parks are issuing this addendum to respond to questions received from potential proposers since the RFP was issued on February 25, 2021.

Q: Will the presentation be available after the meeting?

A: The presentation is available at [www.thebattery.org/dining/destinations](http://www.thebattery.org/dining/destinations)

Q: What is the length of the term?

A: As stated on page 2 of the RFP, TBC is seeking a sublicensee beginning approximately May 15, 2021 and terminating May 31, 2026 (i.e., five years).

Q: What is the square footage of the kiosks?

A: Please see Exhibit C of the RFP for a diagram of a kiosk. It shows the clear area of each kiosk as 125 sq.ft. The two kiosks are identical.

Q: What is The Battery Conservancy looking for in a successful proposal?

A: TBC seeks proposals that offer high quality, healthy, local, organic, and seasonal alternatives to typical park concessions. The ideal proposal will have a wide variety of options for breakfast, lunch, and dinner and a range of prices to be affordable for visitors. Finally, previous experience and an established off-site commissary for cooking and storing supplies is necessary.

Q: Is TBC open to joint proposals between two companies that could offer a wider variety of products to Battery visitors?

A: If it is structured in accordance with City requirements and doesn't include an additional layer of sublicense, TBC welcomes innovative and collaborative proposals

Q: What is the recent history of gross receipts?

A: 2020 – “Fountain” kiosk gross receipts were \$120,018. “Carousel” kiosk was closed all season. Total (COVID19 year): **\$120,018**.

2019 – “Fountain” kiosk gross receipts were \$388,451, and “Carousel” kiosk gross receipts were \$262,040. Total: **\$600,491**.

2018 – “Fountain” kiosk gross receipts were \$416,192, and “Carousel” kiosk gross receipts were \$285,893. Total: **\$702,085**.

2017 – “Fountain” kiosk gross receipts were \$412,004, and “Carousel” kiosk gross receipts were \$174,951. Total: **\$586,955**.

Q: We understand that before the pandemic, the daily visitation was approximately 20,000. Given that visitation may be as little as 10% of that, would a graduated rent schedule be acceptable, to take into consideration the dramatic decrease in pedestrian traffic?

A: As stated on page 17 of the RFP, the fee offer should be presented as a guaranteed minimum fee versus a percentage of gross receipts. TBC will look favorably on fee offers that include an escalation of at least five percent (5%) per year (compounded annually) in the guaranteed minimum fee over the license term. This allows for a relatively lower guaranteed minimum fee

for 2021, with its anticipated reduced visitor traffic, followed by gradual increase during the five-year term.

- Q: In the paragraph, “Hours of Operation,” the RFP states, “The Bosque is open from early morning until midnight every day of the year...from the start date of this concession May 15, 2021 through October 31, 2021.” Is the concession seasonal? If so, what is the operating season?
- A: Water availability determines the kiosk season. Water is usually turned on in the park in late March or early April and turned off in early November. Previous sublicensees have operated from approx. April 15 through approx. October 31. Because of the timing of this RFP, an April start this year is not possible.
- Q: What electric service is available? Would we be able to increase the amperage if needed?
- A: Electric service at each of the two Bosque Kiosks is 200 amps. TBC does not expect the operator to need additional capacity. Adding capacity would be at the sublicensee’s sole cost and expense. It would require running new cables, possibly new conduits from the parkhouse meters (70m from Carousel Kiosk and 140m from Fountain Kiosk).
- Q: What equipment/furnishings are available upon occupancy?
- A: All existing equipment/furnishings were left by the preceding sublicensee for the benefit of the new operator. The new operator may use the existing equipment/furnishings at no cost or may remove them and install their own equipment/furnishings at their own cost.
- Q: Would the sublicensee be allowed to bring in piece of electrical equipment for holding/warming/heating that does not need a hood? Is on-site cooking allowed?
- A: Only reheating is allowed in these kiosks. Indoor cooking would require installation of a fire suppression system and ventilation hood at the sublicensee’s sole cost and expense.
- Q: Does the restriction on single-use plastic prohibit the use of plastic cups for serving wine and beer?
- A: The restriction applies only to bottles. Plastic cups are acceptable.
- Q: Is there currently hot and cold running water in the kiosks? Is there a handwashing sink and access to water inside the kiosks?
- A: Each kiosks has cold running water and a handwashing sink. As with any building, cold water is piped in, then heated on site. TBC cannot provide any information about the condition of equipment left by the previous sublicensee.
- Q: Is there a connection to the city sewer?
- A: Both Bosque Kiosks are connected to the city sewer system. The sublicensee is responsible for paying all water and sewer charges that the New York City Department of Environmental Protection (DEP) assesses for water usage.
- Q: What restroom facilities are available for operator’s staff?
- A: Each of the Bosque Kiosks is too small to accommodate an employee restroom. Staff may use public restrooms located exterior to the nearby The View at Battery Park Restaurant. They are maintained by the operator of that restaurant. Staff of the previous Bosque Kiosks operator used those facilities. Public restrooms are also available in the Staten Island Ferry Terminal, Castle Clinton and the limestone comfort station at Battery Place.

- Q: Is there any location to stage garbage storage for the day until pickup?
- A: All trash must be bagged and brought to the hardscape path for collection. This includes all cans within the licensed premises.
- Q: What offsite storage is available?
- A: Neither TBC nor NYC Parks guarantees the availability of any offsite storage. Moreover, as stated in the RFP, the operator may not store any equipment or supplies at the Licensed Premises without the prior written approval of TBC and NYC Parks. No item shall be placed upon any public space, including the ground adjacent to the Licensed Premises, without the prior written approval of NYC and NYC Parks. The operator is required to securely store all outdoor equipment, tables, and chairs on a nightly basis and whenever the facility is closed.
- Q: We understand that there are chairs and tables currently in the space. Is TBC open to approving one or two specialized umbrellas that our concept calls for?
- A: The look, design, and quality of signage, uniforms, and any external facing structures such as umbrellas must be approved by TBC.
- Q: We see that the previous operator had an extended bar on one of the kiosks. Will this be allowed for the new vendor?
- A: The look, design, and quality of signage, uniforms, and any external facing structures must be approved by TBC.
- Q: Will Castle Clinton National Monument, the Statue of Liberty and Ellis Island be open this summer?
- A: These monuments are open now, and TBC expects them to remain open this summer and beyond. Because of COVID19, tourism – and park visitation in general – is significantly lower than in previous years. TBC will look favorably on proposals that include plans for using social media for marketing kiosk menus and activities. See RFP page 8 concerning signage and advertising as part of the operational plan.
- Q: Will Battery Urban Farm be in operation this season?
- A: The farm will operate (i.e., produce produce) this summer, even if school/camp programs are suspended. Based on last year, TBC expects, at the very least, to offer some limited programming as well as opportunities to volunteer on the farm.
- Q: What were the dates of operation of the previous vendor? Why did they leave?
- A: The previous sublicensee operated the Battery Bosque Kiosks from 2012 through 2020. The sublicensee closed its entire business at the end of 2020. That business included, but was not limited to, operation of the kiosks.

**NOTE: The official, correct name of this park is The Battery. The correct name for TBC is The Battery Conservancy. Neither of these names includes the word “park.” Please use correct names.**

## PROJECT MANAGER

The TBC Project Manager for this sublicense is Hope Cohen, TBC's Chief Operating Officer. All RFP questions and/or inquiries should be directed to her. She may be reached at:

**Phone: 917.409.3710**  
**Email: hope.cohen@thebattery.org**



*If you have a hearing impairment, please call the following toll-free number and leave a message on the Telecommunication Device for the Deaf (TDD). The TDD number is (212) 504-4115.*

## RFP TIMETABLE

**RFP Release Date:** **April 25, 2021**

**Proposer Meeting via Zoom:** **March 11, 2021 at 11am**

**Proposals Due:** **April 2, 2021 at 3pm**