



Flatiron/23rd Street Partnership

RFP questions to manage and operate and outdoor food or beverage kiosk in the Flatiron Plazas (North & South) - June 22, 2010

Updated July 7, 2010

1. Are generators an acceptable power source? What are plumbing/water options? ***A permanent structure cannot be built, so a generator is an option to provide power. A stand-alone for water access is possible. The successful proposer will be responsible for obtaining any necessary permits and approvals.***

2. Would a vendor running power through the street grid be permitted? ***Not at this time. The plazas are created from temporary materials and there are no available Con Edison connections for retail energy services.***

3. How much will the kiosk need to be moved?
The kiosk does not necessarily have to leave the plaza, but it could be mobile and moved every night. (Please see the security provisions in Attachment B of the RFP if the subconcession remains on the plaza(s) overnight). Other events may also be permitted on the plazas through the City (SAPO or the Mayor's Office of Film, Theater, and Broadcasting). The BID will work with the City to minimize the impact of such events on the subconcession.

4. How big can the kiosk be?
Size or design was not specified in the RFP, however, there are physical constraints within the plazas such as impeding pedestrian crossing areas. The kiosk has to be able to fit within the parameters of the space. Each proposed design will be evaluated accordingly.

5. As stated in the RFP, after a proposal is accepted the revenue percentage can be

renegotiated. What if the proposer does not want to renegotiate? ***The BID may negotiate a percentage value of the successful Proposer's annual gross revenues as an option to the annual fee. See page 5 of the RFP.***

6. What is the term of the license?

See page 2 of the RFP.

7. Who comprises the selection committee? How many people?

The selection committee will consist of approximately six people from the Flatiron BID, and a representative from the New York City Department of Transportation (DOT).

8. Will there be more than one phase of the selection process?

No.

9. Is beer and wine permissible to serve?

See section IV D(4) on page 6 of the RFP.

10. Are other types of alcohol permissible?

See section IV D(4) on page 6 of the RFP.

11. Is music allowed?

The successful proposer must obtain any necessary permits and approvals regarding music and must comply with the City's Noise Code and any other relevant regulations.

12. Explain the Wi-Fi scenario on the plazas.

If the subconcession chooses to sponsor free Wi-Fi for the plazas, users could open browsers to the subconcession's homepage, and that would be the sponsorship aspect. Wi-Fi would be a nice addition to the plazas, but it is not mandatory. If Wi-Fi is not provided through the subconcession, the BID may explore other options for it.

13. Will the BID consider new operators, new ideas and if so, what would the challenges or obstacles be? ***Yes, the selection process is not exclusive to established businesses. Challenges to new operators and/or non-***

established businesses may include obtaining all necessary permits and providing proof of experience. New ideas are encouraged.

14. What is the Department of Transportation's experience with renewing these types of licenses? ***Since the plazas are new, there is little experience with renewals.***

15. Would a new bidding process take place in four years when the license between the Flatiron BID and DOT needs to be renewed? ***It is likely that a new solicitation process would take place at that time.***

16. Are there public restrooms in the area? What are the rules concerning providing restrooms? ***The only public restroom is at the SE corner of Madison Square Park. Prospective proposers may contact the Department of Health and Mental Hygiene (DHMH) for further information regarding their requirements for public restrooms.***

17. The SLA has seating requirements. Would the chairs already on the plazas count? ***Prospective proposers may contact SLA for further information.***

18. The Department of Health has changed its rating system recently. Will there be ABC grades for the subconcessions from the Department of Health? ***To our knowledge, there is no letter grading system for mobile food vendors. Prospective proposers should contact DHMH for further information.***

19. Who handles the furniture currently on the plazas?
The Flatiron BID.

20. What if long lines develop at the kiosk?
That is an issue that will have to be addressed as the situation presents itself, although proper location planning should alleviate any problems.

21. What is the status of trash receptacles?

The Flatiron BID maintains its own receptacles. The successful proposer may add more receptacles and would be responsible for maintaining such receptacles.

22. Can the kiosk be placed on the raised asphalt on the Flatiron North plaza?

Yes.

23. What is the pattern of events of the plazas? What is the number of events that have taken place on the plazas?

It is difficult to gauge when events will happen. There have been 29 days worth of events and filming during this calendar year but that includes events and filming that may only take an hour or two and would not disrupt the operations of a subconcession.

24. Will the subconcession need to be shut down during filming?

This will be handled on a case by case basis.