


PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, SEPTEMBER 11th, 2024 @ 2:30 P.M.

Location:
22 Reade Street
Spector Hall
New York, NY 10007

NOTE: For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS) via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at (212) 298-0800. Any person requiring reasonable accommodation for the public meeting should contact MOCS at least five (5) business days in advance of the meeting to ensure availability. 

*Franchise and Concession Review Committee Public Meeting
Wednesday September 11th, 2024 @ 2:30 P.M.*

NEW YORK CITY DEPARTMENT OF TRANSPORTATION

No. 1: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to negotiate a Sole Source License Agreement with Alliance for Downtown New York, Inc. to provide for the operation and management of a pedestrian plaza located at two separate pedestrian areas on (1) Water and Whitehall Streets, and (2) Water Street and Coenties Slip, in the borough of Manhattan, ("Licensed Plaza"); and maintenance and/or repair of certain amenities within the Licensed Plaza, including through City-approved plaza events, sponsorships, gifts, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, beverages, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts), and other similar merchandise within the Licensed Plaza.



Department of Transportation

Ydanis Rodriguez, Commissioner

August 2, 2024

The Honorable Mark Levine
Manhattan Borough President Mark Levine
1 Centre Street, 19th Floor
New York, NY 10007

Mr. Zach Bommer, District Manager
Community Board 1, Manhattan
1 Centre Street, Room 2202 North
New York, NY 10007

Re: Pedestrian Plaza Concession

Dear Borough President Levine and Mr. Bommer:

Pursuant to Section 1-16 of the Concession Rules of the City of New York, the New York City Department of Transportation (“DOT”) intends to seek approval from the Franchise and Concession Review Committee (“FCRC”) to utilize a different procedure to negotiate a Sole Source Concession Agreement (“Agreement”) with an organization (the “Concessionaire”) for the operation and management of two separate pedestrian areas on (1) Water and Whitehall Streets, and (2) Water Street and Coenties Slip, in the borough of Manhattan (“Licensed Plaza”); and maintenance and/or repair of certain amenities within the Licensed Plaza, including through City-approved plaza events, sponsorships, gifts and sub-concessions, including but not limited to providing for the sale of any of the following: prepared food, beverages, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts), and other similar merchandise within the Licensed Plaza. DOT has identified the Alliance for Downtown New York, Inc. as a potential Concessionaire, but DOT will consider additional expressions of interest from other qualified and experienced organizations. As such, a public notice is being placed in the City Record to inform other qualified organizations of this opportunity.

This concession is not a major concession as defined in Title 62, §7-02 of the Rules of the City of New York.

If you have any questions, please feel free to contact Ms. Rachel Frumin, Director of Concessions and Franchises at 212-839-6550.

Sincerely,

A handwritten signature in blue ink that reads "Edward F. Fincar Jr." with a small blue dot at the end of the signature.

Edward F. Fincar Jr.
Manhattan Borough Commissioner

NYC Department of Transportation

Office of the Manhattan Borough Commissioner

59 Maiden Lane, 37th Floor, New York, NY 10038

T: 212.839.6210 F: 212.839.6285

nyc.gov/dot

Rule 1-16: Different Procedure

Concession Agreement Pre-Solicitation Review Memorandum Cover Sheet

Concession Title Whitehall-Coenties Plaza Concession Agreement **Concession ID** 2025Con03

Description Concession for the operation and management of a pedestrian plaza and maintenance and/or repair of certain amenities within the pedestrian plaza located at two separate pedestrian areas on (1) Water and Whitehall Streets, and (2) Water Street and Coenties Slip, Borough of Manhattan ("Licensed Plaza").

Agency New York City Department of Transportation (DOT)

Additional information has been attached to this document (please use the "Additional Information Form" available on BuyWise)

Proposed Concession Justification

The Agency has determined it is practicable or advantageous to use a Different Procedure over other methods because:

It is in the City's best interest to enter into the Agreement using a different procedure with Alliance for Downtown New York, Inc. because this not-for-profit organization's mission is to enhance the neighborhood in which the Licensed Plaza is located. This organization directly represents the neighborhood that it will serve and has a specific interest in the Licensed Plaza.

Indicate the Different Procedure utilized

- Sole Source Amendment
 Not-for-Profit Agreement
 Other _____

Proposed Concession Details

Concessionaire Alliance for Downtown New York, Inc. Not yet determined
 EIN/TIN 13-3791550
 Initial Term To be negotiated
 Renewal Option(s) To be negotiated
 Total Potential Term To be negotiated

Concession Site(s) Yes No
 Address Water Street, Whitehall Street, and Coenties Slip
 Borough of Manhattan
 Borough Manhattan Community Board 1
 Block# N/A Lot# N/A

Proposed Concession Revenue

- (Check all that apply)
- Annual Minimum Fee \$ _____
 Gross Receipts _____ %
 The Greater of Annual Minimum Fee(s) of \$ _____ vs _____ % of Gross Receipts
 Other Formula

Prior Concession Details

N/A (No Prior Concession)

Concessionaire Alliance for Downtown New York, Inc.
 Initial Term 07 / 15 / 16 to 07 / 14 / 21
 Renewal Option(s) 07 / 15 / 21 to 07 / 14 / 24
 Total Potential Term 07 / 15 / 16 to 07 / 14 / 25
 Concession Site(s) Yes No

EIN or SSN # 13-3791550
 Address Water Street, Whitehall Street, and Coenties Slip
 Borough of Manhattan
 Borough Manhattan Community Board 1
 Block# N/A Lot# N/A

Prior Concession Revenue

- (Check all that apply)
- Annual Minimum Fee \$ _____
 Gross Receipts _____ %
 The Greater of Annual Minimum Fee(s) of \$ _____ vs _____ % of Gross Receipts
 Other Formula

Community Board / Borough President Notice Requirements (Check all that apply)

This is a Significant Concession Yes No

(if yes, please select all applicable boxes below)

- Total potential term =/ > 10 years
 Projected annual income/value to City > \$100,000
 Major Concession

This is a Major Concession Yes No

(if yes, please be aware the award will be subject to review and approval pursuant to Sections 197-c and 197-d of NYC Charter)

Agency notified affected Community Boards and Borough Presidents on 08 / 02 / 2024

Intent to Seek a Different Procedure

Agency notified affected Community Boards and Borough Presidents on 08 / 02 / 2024 (at least 40 days prior to bringing the item to an FCRC meeting) that it intends to seek Committee approval of a Different Procedure. A copy of this notice has been provided to the Mayor's Office of Contract Services for distribution to the committee

Authorized Signatures

Agency Staff

This is to certify that the information presented herein is accurate

Signature _____

Name Michelle Craven

Title Associate Deputy Commissioner, Cityscape and Franchises Date _____

City Chief Procurement Officer

This is to certify that the agency's plan presented herein will comply with the prescribed procedural requisites for the award of the subject concession

Signature _____ City Chief Procurement Officer

Date _____

FRANCHISE AND CONCESSION REVIEW COMMITTEE

(Cal. No. 1)

BE IT RESOLVED that the Franchise and Concession Review Committee (“FCRC”) hereby authorizes the New York City Department of Transportation (“DOT”) to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to negotiate a Sole Source License Agreement (“Agreement”) with Alliance for Downtown New York, Inc., to provide for the operation and management of a pedestrian plaza located at two separate pedestrian areas on (1) Water and Whitehall Streets, and (2) Water Street and Coenties Slip, in the borough of Manhattan, (“Licensed Plaza”); and maintenance and/or repair of certain amenities within the Licensed Plaza, including through City-approved plaza events, sponsorships, gifts, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, beverages, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts), and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by Alliance for Downtown New York, Inc. in the basic form of Request for Proposals or Request for Bids, subject to DOT’s prior written approval of both solicitation and award.

BE IT FURTHER RESOLVED that DOT shall submit the Agreement it proposes to enter into with Alliance for Downtown New York, Inc. to the FCRC for approval.

**THIS IS A TRUE COPY OF THE RESOLUTION ADOPTED BY THE
FRANCHISE AND CONCESSION REVIEW COMMITTEE ON**

9/11/2024

Signed: _____

Title: City Chief Procurement Officer

Date: _____