

**DEPARTMENTAL INPUT
CONTRACT/PROJECT MEASURE ANALYSIS AND RECOMMENDATION**

Rev 1

New contract
 OTR
 CO
 SS
 BW
 Emergency
 Previous Contract/Project No. N/A

Re-Bid
 Other
 LIVING WAGE APPLIES: YES NO

Requisition/Project No: **RQPR1200016** **EPP-RFP 838** TERM OF CONTRACT: 5 years with 2 two-year options-to-renew

Requisition/Project Title: Water Sports Concession at Crandon Park – Kite Boarding

Description: Operation of a water sports concession at Crandon Park to include stand-up paddleboard, kite boarding and kayak rentals, instruction and related services.

User Department(s): Park Recreation and Open Spaces

Issuing Department: ISD-PMS

Contact Person: Andrew Zawoyski, CPPO

Phone: 305-375-5663

Estimated Revenues: \$15,000 annually.

Funding Source: N/A

REVENUE GENERATING: Yes

ANALYSIS

Commodity/Service No: 961-15; 961-68		SIC:	
Trade/Commodity/Service Opportunities			
Contract/Project History of Previous Purchases For Previous Three (3) Years Check Here <input type="checkbox"/> if this is a New Contract/Purchase with no Previous History			
	<u>EXISTING</u>	<u>2ND YEAR</u>	<u>3RD YEAR</u>
Contractor:			
Small Business Enterprise:			
Contract Value:			
Comments:			
Continued on another page (s): <input type="checkbox"/> Yes <input type="checkbox"/> No			

RECOMMENDATIONS

SBE	Set-Aside	Sub-Contractor Goal	Bid Preference	Selection Factor
		%		
		%		
		%		
		%		

Basis of Recommendation:

Signed: *Andrew Zawoyski, CPPO*

Date to SBD: 7-12-12

Date Returned to DPM: _____

RECEIVED
 DEPT. BUSINESS DEV.
 2012 JUL 12 PM 5:08

Water Sports Concession at Crandon Park Scope of Work

Introduction

Miami-Dade Parks, Recreation and Open Spaces (PROS) is one of the busiest and largest leisure service agencies in the United States. Each year, 25 million people use PROS's system to safely recreate, enjoy nature, become more physically fit, and to connect with neighbors, friends, and pets.

PROS is seeking proposals from experienced and capable parties to operate a water sports concession at Crandon Park located at 6747 Crandon Boulevard, Key Biscayne, Florida. The Selected Operator shall provide a safe, high quality and customer-oriented operation with well-maintained equipment and experienced staff, and offer diverse programs and services normally associated with the water sports industry. The water sports concession area is located between pristine Bear Cut Preserve and a world renowned swimming/sunbathing beach. The selected Operator shall operate its Program and supervise/instruct its customers in a manner that keeps beach patrons safe and so that its customers adhere to strict guidelines as it pertains to the protection/preservation of the ecologically sensitive Nature Preserve/sand dunes.

Examples of services to be provided under any agreement issued as a result of this RFP include the following:

1. Stand-up paddleboard rentals and instruction.
2. Kite boarding rentals and instruction.
3. Kayak Rentals

Site Description:

Crandon Park

Operations at Crandon Park are to be based out of the North Concession building located at the north end of the Crandon Park beach area.

The kayak and stand-up paddleboard designated launching/landing area shall be located east of the North Concession Building, between lifeguard towers #2 and #3 and marked by buoys. Rental customers for these activities shall be instructed to only enter/exit the water in this area and to stay clear of the swimming areas on either side of the launching/landing area. Rental kayaks and stand-up paddleboards may not travel south of the launching/landing area nor may they approach the shore anywhere along Crandon Beach other than the designated launching/landing area. All kayaks must stay clear of any group activity near the shore on field trips with the Nature Center. A maximum of 15 stand-up paddleboards will be allowed on the water at any given time.

The kite boarding designated launching/landing area shall be located north of the North Concession Building, between lifeguard towers #1 and #2. Rental patrons or students taking lessons for this activity shall be instructed to only enter/exit the water in this area. Kite boarders may travel either north or south, but must

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maintain a minimum distance of 600 feet (200 yards) from the shoreline at all times. The Selected Operator will place marker buoys to mark the 600 foot minimum distance to aid kite boarders in maintaining a safe distance. In addition kite boarders must maintain a minimum of 900 feet (300 yards) from swimmers, groups on Nature Center field trips or Eco Adventures™ guided tours. A maximum of 25 kite boarders shall be allowed in the water at any given time. It is the responsibility of the selected Operator to maintain this control and advise others not to enter the water. **There shall be no activity of any kind allowed north of lifeguard tower #1, this area known as Bear Cut Preserve is a protected natural area.**

Qualifications

The selected Operator should have:

- five (5) years of diverse experience in kite boarding, paddle boarding and water sports programs;
- knowledge of business operations and the legal requirements associated with this type of operation;
- experience in the design, permitting and operation of a water sports area;
- adequate financial capacity to develop the site and maintain operations;
- ability to acquire and maintain required licenses to operate the water sports area;
- Open Water Lifeguard Certification;
- CPR/First Aid Certification;
- IKO or PASA certification utilizing IKO or PASA certified instructors.

Additionally, the selected Operator's employees who will operate motorized boats (for assisting with rescues and other emergencies, as required) shall complete the following:

- Safe Boating course (only applicable for boat operators)

Note: All required certifications must be in place prior to the start of operations of the water sports program. The required certifications are a continuing obligation of the selected Operator throughout the duration of any contract issued as a result of this solicitation.

Operation and Quality of Services

A. Selected Operator shall ensure that all patrons renting kayaks and standup paddle boards are of a sufficient skill level to adequately operate the craft and know how to execute proper safety procedures. Due to the higher skill levels required to engage in the sport of kite boarding, the following scope of services and designated area of operation are made a part of this Scope of Services:

1. A detailed map (Exhibit A in sample Concession Agreement) clearly states the strict areas allowed for water sports activities. There is a zero

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tolerance protocol, enforced by the selected Operator for individuals participating in water sports activities who enter the Bear Cut Preserve, enter sand dunes, enter beach areas, ignore launching/landing designated areas or violate the distance from shore restrictions. Excessive winds, unfavorable winds, inadequately trained customers and staff, understaffing etc. are not valid excuses for violations of the strict operational rules. Strict compliance with the zero tolerance protocol will require the appropriate staffing levels and equipment (megaphones, 4 x 4 ATV, wave runner, etc) for supervision of their patrons. The water sports concession shall close immediately if they are unable to supervise their patrons to a level acceptable to the Park Manager.

2. Individual kite boarders that come and practice their sport with their own equipment in the designated kite boarding area must follow the kite boarding safety guidelines set by Crandon Park. It shall be the duty and obligation of the selected Operator to enforce those safety guidelines.
3. Selected Operator instructors shall provide adequate and proper kite boarding instructions to insure that participants are familiar with Crandon Park rules governing kite boarding and that they have an understanding of the basic skills necessary for kite boarding and can demonstrate those skills to the instructor's satisfaction. Selected Operator shall at all times maintain supervision on the beach to watch and ensure that kite boarders comply with all applicable rules and regulations regarding use of Crandon Park. Minimum Supervision/Staff requirements are weather dependent. **Additional/more specific requirements are included in the attached Concession Agreement.**
4. Selected Operator shall require all kite boarders that are renting kite boarding equipment from the selected Operator and/or are obtaining kite boarding instruction from selected Operator to sign a waiver and release of liability form ("Waiver") which **will be provided by the Selected Operator and approved by PROS**. The selected Operator agrees to keep and store in a safe location all such Waivers for the entire term of this Concession Agreement and, at the expiration or earlier termination of this Concession Agreement, to deliver all such records to the PROS at Crandon Park Office.
5. Provide an operation that is safe and customer-oriented with prompt complaint resolution by well-trained and professional staff.
6. Provide high quality customer service and reasonably adjust program and service offerings to meet customer demands, including establishing regular hours of operation, subject to approval by PROS.

Water Sports Concession at Crandon Park
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7. Provide all services and concessions at fees and prices approved by PROS. Such services, types of concessions, and charges may be modified only by written request of the selected Operator to PROS and upon approval by PROS. Such approval shall be in writing at least 30 days prior to implementation of the modification.
8. Pay for all operating expenses associated with the day-to day operations of the water sports area. This shall include utilities expenses which should be included in the pro forma.
9. Install and maintain signage in accordance with the Crandon Park Master Plan and Article 7, as approved by PROS. At a minimum, signage shall include hours of operation, fees, and required safety guidelines.
10. Supply and maintain an Operations manual to be approved by PROS.
11. Have an emergency plan and hurricane plan, to include how the selected Operator shall secure the site in the event of a hurricane.
12. Ensure that employees are distinctively uniformed so as to be distinguishable as the selected Operator staff and not PROS employees.
13. Promote the Park's offerings through marketing and the quality provision of all concession services with the highest level of service to the public. Promotional flyers or advertisements for special events shall include the Miami-Dade County or PROS logo. The selected Operator shall submit sample or mock up of such publicity or materials to PROS for review and approval.
14. Enforce strict adherence to federal, state and local safety guidelines required for all water sports, including requiring participants to wear U.S. Coast Guard-approved life jackets for all water sports; chest protectors, break-away tethers and helmets while kite boarding, and making such safety gear available for use at an approved rental fee.
15. Ensure the water sports area remains in safe, clean, and usable condition on a daily basis, to include, but not be limited to, removing debris from the water sports area and shoreline, inspecting and maintaining all equipment, and maintaining the concession area, as well as performing regular trash removal and maintenance of the site and associated grounds, etc., as applicable, at its own expense.
16. Take proper care of the facilities and use the same in a careful manner and shall, at its own expense, repair PROS property or facilities damaged by its operations.

**Water Sports Concession at Crandon Park
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17. Store equipment on site in designated areas only. PROS will not be responsible for any loss or damage of the selected Operator's equipment or supplies.
 18. Provide a food and beverage concession operation during normal hours to serve park patrons.
 19. Operator shall have the right to sell non-alcoholic sports-type beverages and prepackaged snacks at the permitted premises. No ice cream, cooking or food preparation of any kind will be permitted on site.
 20. Utilize an electronic cash register for all transactions. The cash register must have the ability to produce "Z" reports (i.e., sales totals for each day) and "X" reports (i.e., sales totals at any given time); run dual tapes, or have the ability to print out an itemized account of each transaction each day; and print the date and time on journal tape and on each individual sales receipt.
 21. Develop a process for coordinating requests from the public or outside entities requesting use of the water sports area (e.g., for competitions, tournaments, or training purposes).
 22. Employ a qualified, full-time on-site manager or designee who will be available during normal business hours and be on call, at all times, for emergencies or other matters related to the water sports area.
 23. Provide additional services and fees by mutual agreement of the selected Operator and PROS.
- B) PROS reserves the right to schedule special events that may preclude the water sports area from operating during a given event. PROS will use reasonable efforts to notify the selected Operator as early as possible of these special events, but in no event later than two weeks prior to the special event. PROS may also close the park during inclement weather conditions.
- C) All activities and operations of the selected Operator must conform to and comply with Chapter 26, Park and Recreation Rules and Regulations and Article 7 of the Charter of Miami-Dade County, as well as the applicable rules and regulations of the Park.

Responsibilities of PROS

PROS will provide Operator with two (2) parking spaces reserved and assigned "Concession Only" for its vehicles, located at the parking lot adjacent to the Nature Center. The Selected Operator's working staff will be afforded free parking per a schedule provided to the Park Manager in advance.

Water Sports Concession at Crandon Park Scope of Work

Hours of Operation and Signage

Selected Operator will be open daily at Crandon Park (unless inappropriate weather conditions do not allow kite boarding practice). Kite boarding is allowed only during regular hours of operation of the selected Operator AND when lifeguards are present. With the exception of one (1) staff member and one (1) supervisor, ALL patrons and staff MUST exit Crandon Park BY SUNSET. It is the responsibility of the selected Operator to inform it's customers of this Park rule in advance of their participation in their prospective water sport. Additionally, it is the responsibility of the selected Operator to cease operations and call in its customers from the water at the appropriate time to meet the Park closing deadline. If the selected Operator requests to close operations for any reason, it does not release them of the responsibility to provide adequate supervision of their area of responsibility. Wind speeds in excess of 10 mph REQUIRE a staff member of the selected Operator to be present to inform its customers that the concession is closed. A sign will be posted by the selected Operator at the toll booth when the kite boarding concession is closed due to inclement weather or any reason that restricts the kite boarding practice. The specific hours of operation of the Concession will be as follows:

1. During summer (from Memorial Day to September, Labor Day) - weekdays only (Monday to Friday) from 9:30 AM to 7:00 PM.¹
 2. During fall (day after Labor Day until Daylight Savings day) all week and weekends from 9:30 AM to 6:00 PM or ½ hour before sunset
 3. During winter (Daylight Savings day to one day before time change) - all week and weekends from 9:30 AM till 5 :00 PM or ½ hour before sunset
- During Spring (from time change day to one day before Memorial Day) all week and weekends from 9:30 AM to 6:00 PM or ½ hour before sunset

Removable sign(s) will be installed on-site daily by the selected Operator. Sign(s) will display: guidelines and boundaries, as well as registration requirements. Information signs shall be placed at the tollbooth North entrance and Crandon Park Office to remind patrons of necessary registration before riding and the maximum number of riders on the water. Signs shall be removed and stored at the time of closing.

Access and Use of Kayak Concession Building at Crandon Park by University of Miami

The University of Miami (the "University") has been authorized by PROS to conduct ongoing tidal research at Crandon Park, which has required the placement of testing equipment in a secured closet located within the North Concession building. Selected Operator shall allow University of Miami personnel to access this equipment during normal business hours and to at no

¹ NB: Memorial Day & Labor Day are closed to kite boarding

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time interfere, tamper or in any way disturb the University's testing equipment or the University's access to the area containing the testing equipment.

A. Crandon Park Master Plan

(1) Selected Operator shall review and at all times abide by the terms and conditions contained in the Crandon Park Master Plan. There shall be no signs, banners, flags, balloons, logos, vending machines or any other means of sales of promotion visible from outside of any structure, whether temporary or permanent. At the time of all events, temporary directional signs may be set up not sooner than the day before the event and these signs must be removed not later than the day after the last day of event. Such signs shall not include the names of sponsors. No logos shall be used on these signs. Signs shall not be placed in such a manner that they obscure any permanent signs and in no case should they be nailed or otherwise fastened to any tree. Signs shall not include electrical lighting, reflectors or any moving parts. The temporary directional signs shall be placed below the regular sign.

(2) All advertising, promotion or merchandising, either expressed or implied, including but not limited to visual, organoleptic (taste and color), verbal or audio, shall be prohibited on exterior surfaces, and on the interior of windows if visible from any area surrounding the buildings or any areas within Crandon Park. Advertising, promotional, or identifying umbrellas, banners, balloons or similar devices, outdoor vending machines, or merchandise awnings, bench advertising and similar devices, shall be prohibited on Crandon Park.

(3) There shall be no overnight vehicle storage and/or trailer storage of any kind on Crandon Park.

(4) All promotional literature, telecasts, broadcast, or any other advertising promotion or medium, including flyers, prepared or organized by selected Operator for kite boarding, stand-up paddleboarding and kayaking at Crandon Park shall identify and credit its location as "Crandon Park, Miami, Florida."

Payments to the County

The selected Operator shall pay PROS a guaranteed monthly rent, and a percentage of monthly gross receipts. The payments shall be provided as follows:

1. Guaranteed Monthly Rent and Percentage of Monthly Gross Receipts
From the date of the Notice to Proceed and through the termination date of the Agreement, the selected Operator shall pay PROS:

- a) Guaranteed Monthly Rent
The selected Operator shall pay a Guaranteed Monthly Rent to PROS on the first day of each month as of the date the water sports area begins revenue operations.

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Scope of Work**

and

b) Percentage of Monthly Gross Receipts

In addition to the Guaranteed Monthly Rent, the selected Operator shall pay PROS on a monthly basis a Percentage of Gross Receipts, for revenue from the sale of all goods and services provided at the water sports area as of date the water sports area commences operations.

Note: The Crandon Park Master Plan (CPMP) requires a minimum 10% of the Monthly Gross Receipts to be paid to PROS.

Walters, Vivian (RER)

From: Zawoyski, Andrew S. (ISD)
Sent: Thursday, July 12, 2012 1:55 PM
To: Walters, Vivian (RER)
Subject: RFP 838 Water Sports Concession at Crandon Park
Attachments: Input Doc-Project Measure Worksheet.doc; Scope of Work - Water Sports Concession at Crandon Park.docx

Hi Vivian,
Attached please find Scope and input document. It is a revenue generating solicitation.
Andrew

Andrew Zawoyski, CPPO
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Internal Services Department
Procurement Management Services
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