

211.2 SUBJECT: GRANTING CONCESSION AGREEMENTS FOR PUBLIC PARKS AND RECREATION AREAS

:1..OBJECTIVE:

Establish a procedure for processing requests for concession agreements at public parks and recreation areas (except for those areas commonly referred to as Orlando Stadium, Tinker Field, Mayor Bob Carr Performing Arts Center, and Expo Center).

:2..AUTHORITY:

This procedure amended by City Council April 19, 1993.

:3..DIRECTION:

Community & Youth Services Director, as an appointed official, serves at the pleasure of, and receives direction from the Mayor through the Chief Administrative Officer.

:4..METHOD OF OPERATION:

A. ..Determination of Need for Concession Agreement; Preparation of Proposal Package; Public Notice

1. ..On receipt of a request for permission to operate a concession in a particular park or recreation area, the Community & Youth Services Director, after consultation with the Parks & Special Facilities Bureau Chief and/or the Recreation Bureau Chief, as applicable, will determine whether there is a need, in the public interest, for such a concession.

2. ..Should the Community & Youth Services Director determine that there is no need for the concession, the individual initiating the request shall be informed in writing, and further advised that such disapproval is appealable to the City Council.

3. ..Should the Community & Youth Services Director determine that there is a need for the concession, when appropriate, the matter shall be reviewed with the Community & Youth Services Board with subsequent recommendation to the City Council.

4. ..If it is determined that there is a need for the concession, but no need for a Community & Youth Services Board review, the Community & Youth Services Director shall forward the recommendation along with the specification for the proposed concession to the Office of Legal Affairs for preparation of the legal notice, the invitation to submit bid proposal, the proposal form, and the proposed concession agreement.

The Community & Youth Services Director shall place at least one legal notice in a newspaper of general circulation in the City of Orlando advertising the request for concession proposals. The notice shall be published at least fourteen (14) days prior to the final date for submitting proposals or at the discretion of the Community & Youth Services

Director a lesser but reasonable amount of time if deemed appropriate.
Such notice shall include the following information:

- a. ..Name and location of park or recreation area where concession is available;
- b. ..Nature of proposed concession;
- c. ..Term of the proposed concession;
- d. ..Location where interested persons may receive a proposal package;
- e. ..Final date for submitting a proposal;
- f. ..Date, time and place where the proposals will be opened and read; and
- g. ..Other information deemed necessary by the Community & Youth Services Director of the Office of Legal Affairs.

B. ..Selection of Concessionaire;

Contract Negotiation; City Council Approval

1. Following the opening of the proposals, the Community & Youth Services Director, after consultation with the Parks and Special Facilities Bureau Chief and/or the Recreation Bureau Chief, as applicable, shall examine all submitted proposals and determine which proposal is in the best public interest on the basis of the following factors as may be appropriate considering the proposal information solicited by the City:

- a. ..Qualifications of bidder;
- b. ..Revenues to be generated to the City;
- c. ..Cost to public of goods or services to be provided; and
- d. ..The number of concession agreements previously awarded to the bidder, with the object of fair distribution of agreements among qualified concessionaires, provided such distribution does not violate the requirement of award to the bidder submitting a proposal in the best public interest.

2. ..Whenever provided for in the invitation to submit bid proposal, the Community & Youth Services Director, in consultation with the Office of Legal Affairs, may negotiate the final terms of a concession agreement based on the proposal submitted by the selected bidder. The negotiated agreement shall be prepared and approved by the Office of Legal Affairs.

3..The concession agreement, after execution by the selected bidder, shall be submitted to the Office of Legal Affairs for approval as to form and legality and submitted to the Finance Director for his approval. The Community & Youth Services Director shall then present the concession agreement to the City Council for approval and execution by the Mayor.

4. ..Concession agreements for Dubsdread Golf Course will be executed in accordance with provisions of the City Code.

5. ..Prior to the effective date of the concession agreement, the Community & Youth Services Director will ensure that the concessionaire has in full force and effect all insurance and surety bonds which may be required by the concession agreement.

6. ..This procedure shall not apply to the granting of temporary concession agreements by the City Council.

:5..FORMS:

None.

:6..COMMITTEE RESPONSIBILITIES:

None.

:7..REFERENCE: .

.City of Orlando Code, Chapter 43, Section 43.72 and Chapter 2, Article XVI, Section 2.141-1. Procedure adopted by City Council August 26,1978, Item 39; reviewed and found current May 29, 1977, Item 7; amended July 10, 1978, Item 30; August 20, 1979, Item 14; amended August 13, 1984, Item 12 (A-10).

:8..EFFECTIVE DATE:

This procedure effective April 19, 1993.