



Are you on board?

## REQUEST FOR PROPOSALS

### For the Operation of Food and Beverage, Special Events, and Retail Services in the Boston Harbor Islands National and State Park

#### A Rare and Unique Opportunity

Boston Harbor Now, the non-profit partner of the Boston Harbor Islands National and State Park, seeks an entrepreneurial restaurateur, caterer, restaurant group, or franchisee to:

- Operate two existing seasonal concessions and special events business on Georges and Spectacle Island in Boston Harbor;

with two additional allowed options for:

- Launching and operating a Beer/Wine Garden on Spectacle Island; and
- Retail merchandise sales on Georges and Spectacle Island

<b>ISSUE DATE:</b>	August 8, 2019
<b>INFORMATION SESSION &amp;</b>	10:00 AM- 2:00 PM on August 29, 2019
<b>MANDATORY SITE VISIT:</b>	Meet at the <a href="#">Courthouse Dock</a> at 9:45 AM. Visit to Spectacle and Georges Island. RSVP required.
<b>SEND IN QUESTIONS BY:</b>	Noon on September 9, 2019
<b>RESPONSES POSTED TO WEBSITE:</b>	Noon on September 12, 2019
<b>PROPOSAL DUE DATE:</b>	Noon on September 25, 2019
<b>INTERVIEWS:</b>	Mid-October

## TABLE OF CONTENTS

<b>Summary of Business Opportunity</b>	3
Required Services and Locations	3
Optional Authorized but not Required Services and Locations	3
Gross Revenues from Georges and Spectacle Island Services 2014-2018	4
<b>The Opportunity</b>	4
Boston Harbor Now	5
Boston Harbor Islands National and State Park	5
Georges Island	5
Spectacle Island	6
Getting There	6
Visitation	6
<b>Term of Contract</b>	7
<b>Financial Structure and Past Vendor Financial History 2014-2018</b>	7
<b>Marketing Partnership</b>	7
<b>Daily Visitor Food Concession Service</b>	8
Daily Operating Hours for Food Concessions	8
Staffing Daily Food Concession	9
Concept and Menu	9
<b>Public Events</b>	9
Concept and Menu	11
<b>Retail Merchandise Sales Opportunity</b>	11
<b>Beer/Wine Garden on Spectacle Island</b>	11
Operating Requirements	11
Permits and Licenses	12
Equipment, Supplies and Storage	13
Food Preparation Equipment	13
Storage of equipment and supplies	13
Tables and Chairs	14
Sales, Service and Consumption of Alcohol	14
Waste Management	15
Utilities	15
Capital Improvements	15
Transportation of staff, equipment, and supplies	15
<b>Annual Park Season and Operations Calendar</b>	16

<b>DCR Management of Georges and Spectacle Islands</b>	16
Spectacle Island Facilities and Operations	17
Georges Island Facilities and Operations	18
<b>Instructions to Proposers</b>	18
Project Manager Contact Information	18
Schedule for Proposals, Mandatory Site Visit, and Interviews	18
Mandatory Pre-Proposal Site Visit	19
Pre-registration Required for Site Visit	19
Questions	19
Interviews	19
Delivery of Proposals	20
Content and Form of Proposals	20
Background Information	20
Services being proposed	21
Operating Experience	21
Operations Plan and Management(s)	21
Concept and Marketing Plan	22
Financial Capability	23
Financial Return to the Park	23
Acknowledgements	23
Consideration and Evaluation of Proposals	24
Execution of Agreement and Performance Bond	24
Information Provided	24
Confidentiality and Public Records	25
No Personal Liability	25
No Representation	25
<b>Contract Requirements</b>	25
Non-Discrimination and Diversity Policy	26
Insurance Requirements	26
Internal Controls	27
Reporting Requirements	27
On-Site Advertisements, Signage, and Notices	27
Security	28

# Summary of Business Opportunity

## Required Services and Locations

<b>Required Services</b>	<b>Locations</b>
Operate and manage food and beverage concessions	Spectacle Island Georges Island
Special events management and catering	Spectacle Island Georges Island

## Optional Authorized but not Required Services and Locations

<b>Optional Services</b>	<b>Locations</b>
Operate and manage Beer/Wine Garden	Spectacle Island
Retail Sales	Spectacle Island Georges Island Online presence

## Gross Revenues from Georges and Spectacle Island Services 2014-2018

### Vendor Gross Revenues 2014-2018 Georges and Spectacle Islands\*

\*approximate numbers

	2014	2015	2016	2017	2018
<b>Food Concessions</b>	\$328,818	\$280,088	\$270,642	\$219,581	\$192,839
<b>Special Events</b>	\$351,624	\$ 385,246	\$414,512	\$218,876	\$397,332
<b>Total Revenue</b>	\$680,442	\$665,334	\$685,154	\$438,457	\$590,171

## The Opportunity

A visit to the Boston Harbor Islands is an iconic Boston experience. Boston Harbor Now, the nonprofit partner of the Boston Harbor Islands National and State Park, seeks an entrepreneurial restaurateur, caterer, restaurant group, or franchisee to operate two existing seasonal concession services and special events business on Georges and Spectacle Island in Boston Harbor, as well as to launch, operate and manage a Beer/Wine Garden on Spectacle Island. There is also an additional opportunity to launch retail services for the Boston Harbor Islands.

This RFP offers not only a rare and unique business opportunity, but a chance to align your business with the National Park Service (NPS), to partner with the Massachusetts Department of Conservation and Recreation (DCR) to provide a first-class visitor experience on the Boston Harbor Islands, and to help Boston Harbor Now raise funds to help enhance, protect, and expand public access to the remarkable resources of Boston Harbor and the Harbor Islands.

The primary service requested of the vendor is operating and managing in partnership with Boston Harbor Now and DCR the successful and profitable seasonal food service and special event catering functions on Spectacle Island and Georges Island. *Over the past five years the concessions and special events concession on Georges and Spectacle Islands generated an average of \$612,000 in gross revenues (\$259,000 from the concessions restaurants and \$354,000 from special events).* As an allowed addition, the selected vendor will also have an opportunity to sell retail merchandise such as Boston Harbor Islands branded clothing, beach accessories on the waterfront at Spectacle Island, and history books and

collectibles in the gift shop at Fort Warren on Georges Island, as well as have the option to expand to online sales.

Boston Harbor Now, DCR, and NPS are committed to a partnership that provides an attractive business opportunity to a vendor who will make high-quality food service available for park visitors, provide memorable special events such as clambakes, family, and corporate functions in the spectacular setting of the Park, offer quality Park themed merchandise for sale, and generate revenues for reinvestment in the Park. The selected vendor will be the preferred vendor for all permitted special events on Georges and Spectacle Islands and Boston Harbor Now will refer all requests for special events to the selected vendor and will assist the vendor in planning and permitting special and public events.

## Boston Harbor Now

Boston Harbor Now is the legislated non-profit partner of the Boston Harbor Islands National and State Park Area. In this capacity, Boston Harbor Now supports the Park owners and managers through various activities, including procurement and management of vendors, business development, and marketing of the Park. Boston Harbor Now is authorized to procure and manage vendor services on Georges and Spectacle Island.

## Boston Harbor Islands National and State Park

The Boston Harbor Islands National and State Park is one of 419 National Park Service units nationwide. The Park is the largest open green space in Boston, providing over 1,600-acres of recreational, historic, and educational opportunities. Many locations in the Park are open year-round, but public ferry service, visitor amenities, and programming on the most visited islands are offered seasonally from mid-May to mid-October (Columbus Day).

[A map of the Park](#) can be found here.

The Boston Harbor Islands are a unique recreational opportunity, as it is located within proximity to public transportation in Boston, and allows visitors to experience a remote environment that also includes an area of designated wilderness.

## Georges Island

Georges Island is a 53-acre island just 7 miles from downtown Boston – an approximately 45-minute ferry ride for visitors. Home of historic Fort Warren, a Civil War-era fort known for its graceful granite archways and reputed ghost, the Lady in Black. The fort and its grassy parade ground are a popular place for a scenic and rejuvenating walk. Take a ranger-guided tour or visit the museum with exhibits about the history of the fort. Enjoy a picnic under the shade of a tree. Get exceptional views of the surrounding

Harbor Islands and Boston Light from the ramparts and towers. Georges Island is a frequent stop for the island ferries and provides a jumping-off point for other islands. Public ferry service to Georges Island starts in mid-May and ends on Columbus Day each year. Approximately 65,000 visitors visit the island between May and September every year.

## Spectacle Island

Spectacle Island is a 114-acre island just 4 miles from downtown Boston and a 20-minute ferry ride for visitors. Spectacle Island is ideal for hiking, swimming, boating, and learning. Stop in at a “green” visitor center with exhibits about the history and evolution of the island. Go swimming on a beach supervised by trained lifeguards in the summer. Take in panoramic views of the harbor and city from the highest vantage point in the Boston Harbor Islands. The marina and moorings makes it a popular destination for boaters. Spectacle Island opens upon arrival of the first ferry in mid-May and closes on Columbus Day each year. Approximately 40,000 visitors per year frequent Spectacle Island.

## Getting There

Public ferry service to the Islands operates primarily out of Long Wharf in downtown Boston, from where about 90% of island visitors initiate their visit, as well as from the Hingham Shipyard.

## Visitation

Georges Island and Spectacle Island are the most frequently visited islands in the Park, with an average of close to 105,000 visitors per year. Visitation peaks sharply in July and August, with August generally being the busiest month of the year. More than 80% of park visitation occurs in the period from mid-June until early September. The minimum required operating schedule for the food and beverage reflects this usage, with shorter required hours during the shoulder season in the spring and fall.

Georges and Spectacle Islands are the only locations where daily food and beverage service is available for visitors and where there are established infrastructure and necessary park operations staff and resources to regularly host special events. Boston Harbor Now, DCR, and NPS are working to expand daily food service and to facilitate more frequent special events on Peddocks Island but additional investments are required to bring this opportunity to scale. The vendors selected to provide services on Georges and Spectacle Islands will not have any contractual rights or responsibilities with regards to Peddocks Island, but with the partnership and operational experience gained on Georges and Spectacle Islands, the selected vendor will be well placed to take advantage of the growing interest for events on Peddocks Island, and Boston Harbor Now will present these opportunities to the selected vendor as they arise.

## Term of Contract

Boston Harbor Now is seeking a vendor for a minimum of three years with an option at the discretion of Boston Harbor Now for an additional two years for a potential of five total years. At any time after the first season, at Boston Harbor Now's discretion and with the concurrence of DCR for the services on Georges Island and Spectacle Island. Boston Harbor Now reserves the right to renegotiate an extension of the terms of the services for up to a total period of ten years.

## Financial Structure and Past Vendor Financial History

### 2014-2018

Boston Harbor Now invites and expects proposers to submit a financial proposal appropriate for the successful and profitable operation of the services requested and that includes a financial contribution to the Park through Boston Harbor Now, either in the form of a fixed payment, or a revenue share, or both. Proposals that do not include any contributions to the Park through Boston Harbor Now will not be considered.

This business opportunity has potential for significant revenue growth in future years, and Boston Harbor Now expects that the selected vendor will put forward a marketing and operational plan designed to generate increased revenues over the period of the contract.

For all special events permitted on Georges and Spectacle Islands, the vendor will collect a Park Improvement Fee for use of the site per price schedule established annually by Boston Harbor Now and approved by DCR. These Park Improvement Fees are invested directly back into the park in the form of capital improvements, visitor amenities and services on the Harbor Islands.

## Marketing Partnership

Boston Harbor Now expects that the selected vendor will develop and implement a robust marketing plan to attract visitors to the Islands and to generate special events clients, complementing the marketing efforts of Boston Harbor Now and its partners and other vendors. All materials promoting the food and beverage services and special events on the Islands must be approved by Boston Harbor Now prior to circulation and whenever possible should recognize and acknowledge Boston Harbor Now, DCR, and NPS. Use of the Boston Harbor Islands National and State Park logo, the National Park Service emblem, the DCR emblem, or the City of Boston emblem in any promotional material or on site is allowed only with the prior express written permission of Boston Harbor Now.

Boston Harbor Now will view favorably proposals that demonstrate an awareness that the food service and special events are an integral part of the visitor experience in the Park and that demonstrate a commitment to support Park managers and the Park community. Boston Harbor Now will require that



the vendor share with us contact information for groups holding private events and individuals purchasing tickets for public events for future marketing purposes.

# Services on Georges and Spectacle Islands

## Daily Visitor Food Concession Service

Concessions are considered a key element of the park visitor experience. For the seasonal concessions on each island, the operator will be expected to provide high quality, family-friendly, and attractive food choices with a menu compatible with the available kitchen facilities, and to provide a fast and convenient service to the public. Respondents are encouraged to propose creative approaches to menu design and pricing and will be expected to implement customer service mechanisms that will enhance and maintain the satisfaction of patrons. Vendors are encouraged to consider and propose how push-carts, potentially selling both food and beverage as well as retail merchandise might be used to provide additional options for patrons. These mechanisms should be outlined in detail in each proposal.

Because of the flow of visitors on the islands is largely dependent on public ferries, up to 500 guests arrive and depart at the same time. Our experience has been that there are often surges of guests to the food concession around the time of the ferry arrival and departure. Vendors are encouraged to illustrate how their menu, staffing, deployment of push cart options, and point of sale systems will facilitate fast service for patrons.

DCR and Boston Harbor Now provide opportunities throughout the summer for youth groups to visit the Islands. Each season Boston Harbor Now provides subsidized access to more than 40,000 youth and families. In addition to market priced fare, Boston Harbor Now would like to see proposals that also include affordable boxed lunch options made available to youth and community groups to help us make their visits reasonably priced.

## Daily Operating Hours for Food Concessions

The vendor is expected to have the food concession open to the public at a minimum from one-hour after the arrival of the first scheduled public ferry until one-hour before the departure of the last scheduled public ferry of the day. This schedule allows for vendor staff to travel back and forth on the first and last ferry of the day and sufficient time for set-up on arrival and break down at the end of the day, including the removal of all trash into the designated dumpsters on each island. Changes to the hours during the season require Boston Harbor Now's approval in advance. The vendor will have access to a park-wide database of special events, school groups, etc. to assist in meeting demand. If the public ferries are not running, the concession does not need to open. The concessions can close or open late due to weather or other factors only with the approval of Boston Harbor Now.

Concession services begin with the opening of the Park in mid-May and continue through Columbus Day. Traditionally during the shoulder season the concessions have opened on weekends and holidays.

## Staffing Daily Food Concession

The vendor will be required to have sufficient staff available at the concessions during regular operating hours to ensure proper operation of the concession, and to have sufficient staff on-island to move goods at the time of any food or equipment deliveries by ferry or barge. The staff is expected to wear clothing apparel, approved by Boston Harbor Now, that clearly identifies the food service vendor.

## Concept and Menu

Proposers are requested to submit a description of the anticipated menu and pricing for the food concession and a proposed name and marketing concept under which the concessions will be promoted. Vendors are encouraged to promote the unique experience as part of the concept. All marketing materials should acknowledge and recognize wherever possible DCR, NPS, and Boston Harbor Now. Menus, pricing, and marketing concepts all require the approval of Boston Harbor Now.

## Public Events

Managing and catering special events on the Islands is a truly unique business opportunity. The remarkable views of Boston and the Harbor and the island settings are a truly magical place for a corporate or family event. The special events business is expected to include both events open to the public, such as the very successful summer evening clambakes on Spectacle Island, and to provide memorable corporate or family events such as weddings, at a variety of cost ranges. Boston Harbor Now and DCR welcome high-end corporate or private events as they can help generate revenues for the Park, but also want to see the vendor offer events accessible to families or non-profit organizations who wish to have a memorable experience in their public park.

Boston Harbor Now, DCR, and NPS are committed to providing an opportunity for a successful business undertaking that is in keeping with the ethos of a public park and respects that the park during the day remains open to the public. We believe there is significant growth potential in this business. In recent seasons the vendor has hosted about 40 events per season, ranging from daytime lunch events with backyard games and grilling menus, to weddings and rehearsal dinners, to evening events with full New England clambakes.

Boston Harbor Now requests that the vendor offers regularly scheduled ticketed events for the public during the season. In past seasons, Thursday and Friday night New England clambakes on Spectacle Island and BBQ's on Georges Islands from late June to early September have been very successful. Boston Harbor Now would like to see proposals that include events that appeal to different price points

scheduled at a minimum weekly during the peak summer months (mid-June to Labor Day). Responders are encouraged to think creatively about how to design and market these events, keeping in mind that they should be appropriate to a public park location. These events will also be marketed by Boston Harbor Now and our park partners through park channels such as the trip planning website at [www.bostonharborislands.org](http://www.bostonharborislands.org), the Park newspaper, and our newsletters. Information describing the regular clambakes provided by the current prior operator in 2019 is available [here](#).

Boston Harbor Now will also from time to time ask the vendor to help us manage and cater special events for the public that we sponsor throughout the summer. For example, in past seasons we have hosted road races, an opening of a public art exhibit, and a concert series. The single largest event each of the last five years has been the Boston Harbor Now annual fundraising event for upwards of 500 guests. The annual event is held in June. The selected vendor will have an opportunity to submit a competitive bid for catering this unique event.

The selected vendor will be the preferred vendor for all on-island special and catered events, and will be authorized to solicit and market for events using marketing materials approved by Boston Harbor Now. Boston Harbor Now will refer all enquiries about catering or special events to the selected vendor. Special events on Georges Island may take place during the day utilizing the separate event tent. Responders are encouraged to think about how additional spaces on Spectacle Island, including on the pier, could be developed for use for special events during the hours that the public are visiting the island.

The vendor will work with DCR and Boston Harbor Now to ensure that any special events will not interfere with ongoing programming and operations on the island, and ensure that all proper DCR permitting requirements are met. A DCR Special Use Permit (SUP) is required for any special event. Boston Harbor Now will assist the vendor in obtaining SUPs for special events in an expedited process. Any requirements from DCR for additional staffing, security, or additional mechanisms for protecting the park resources or public safety will be documented in the permit. The vendor will be responsible for payment of any permit fees, additional DCR staff costs or security details. Boston Harbor Now will help the selected vendor design appropriate events and secure SUPs in an expedited fashion, but ultimate authority to approve any event remains at the discretion of the DCR.

The vendor will be required to make arrangements to supply all necessary items for special events (such as additional tenting, tables, chairs, etc.) and to provide quality food and alcohol service for the event in a manner that does not interfere with park operations. The vendor will be responsible for its own billing to the client. All revenue generated through such special events must be reported to Boston Harbor Now as gross receipts.

Boston Harbor Now, DCR, and NPS reserve the right to choose another vendor for their own special events if the vendor is not able to provide appropriate quality of services.

The vendor will be responsible for the clean-up of the event sites and where it provides any services or events. The site will be expected to be returned to its original clean condition within two hours of the close of the event.

## Concept and Menu

Proposers are requested to submit a description of the variety and types of events that they envision offering, sample menus at a variety of price points, and the name under which special events would be marketed.

## Retail Merchandise Sales Opportunity

Proposers are invited to include in their proposals the sales of retail merchandise, such as sundries, sunscreen, Boston Harbor Islands branded clothing, beach accessories, on the waterfront at Spectacle Island, and history books and collectibles on Georges Island. There is a small gift shop in the Visitor Center on Georges Island but there is no dedicated space on Spectacle Island for retail sales. Proposers are encouraged to think about how they can use push carts around the island to offer both retail merchandise and food and beverage. In past years, a retail merchandise concession was operated by a separate vendor from the concession services and special events operator. A retail merchandise component is an optional component of the proposal. We believe that for a vendor already on-site operating the concession services, the inclusion of retail merchandise sales represents a potentially lucrative additional revenue stream.

All plans, schedules, services, menu items, prices and fees, marketing materials, hours of operation, and retail merchandise offered for sale are subject to Boston Harbor Now's prior written approval.

## Beer/Wine Garden on Spectacle Island

DCR has enjoyed success in managing a Beer Gardens on State Park property on the Esplanade and in Watertown. Although many of the private corporate events and clambakes routinely serve beer and wine on the islands, until now there has not been the opportunity to enjoy a beer or a glass of wine on the island. Boston Harbor Now is also piloting after-hour events in partnership with beer and wine vendors in summer 2019. Building on this success and the market demand, the beer and wine garden is a part of the major drive to bring vibrancy and innovation to the exquisite experience on the Harbor Islands.

## Operating Requirements

Proposers may operate a Beer/Wine Garden on Spectacle Island when the park is open from Memorial Day through Columbus Day and offer craft beers/wines and light food for sale to visitors. Proposals for

hours of operations will be subject to pre-approval by DCR, NPS, and Boston Harbor Now in coordination with a ferry service for transport of customers.

Proposers will be required to operate in a self-contained area with boundaries which are clearly identified. To ensure that the Beer/Wine Gardens are family-friendly, operators should provide wristbands or stamps for customers of legal age to drink alcohol. The operator of the Beer/Wine Garden (if different from the concession operator) must coordinate for the availability of food items. The proposals must acknowledge these requirements and discuss how they will be achieved. Use of the Park by the selected operator(s) is not exclusive. Other than the specific areas to be used for the Beer/Wine Garden, the remainder of the parks will be open to the public, and available for use and operations by other DCR permittees.

The selected Permittee(s) will be responsible for compliance with all applicable federal, state, and local alcohol, environmental, entertainment, health and safety related requirements for its/their proposed use. Proposers will have to obtain approval from the City of Boston for the service and transport (if required) of alcohol to and within the premises. Proposers will have to comply with any and all applicable regulations of state and local alcohol licensing authorities for such service and transport (TIPS-certified servers, aged 18 and over) and shall be solely responsible for all expenses and fees for applications, inspections, etc. Additional alcohol service-related insurance will be required. Proposers shall also ensure that, when appropriate, a sufficient and authorized police detail is present on the Premises at Proposer's sole expense. The selected Permittee(s) may enter into food, beverage, equipment, entertainer, and supplier, advertising and sponsorship sub-license contracts. Advertising, sponsorships, schedule and nature of activity are all subject to review and approval by Boston Harbor Now and DCR and other relevant entities prior to the start of operations. Partnerships, sponsorships or advertising with businesses involved in the manufacture and distribution of tobacco, illegal substances (state or federal), or firearms will not be allowed.

Boston Harbor Now will favor proposals with a compelling vision, streamlined operations, past experience, attractive infrastructure, excellent hospitality, and a financial offer to make the Beer/Wine Garden an innovative, distinctive, welcoming, and sustainable destination for visitors.

## Permits and Licenses

The vendor shall be responsible for meeting all applicable requirements of law, including health and safety codes and regulations related to food service, public safety, sales, service and consumption of alcohol, and any other vendor activities on the islands. The vendor shall be responsible for obtaining and maintaining all necessary permits from local or state authorities. DCR facilities are subject to unannounced inspections from the Massachusetts Department of Public Health (DPH) and vendor can expect to be inspected by DPH at least once every operating season. The vendor is responsible for timely correction of any issues at the food service facilities identified by DPH or local health authorities.

All special events, special or open to the public, require a DCR Special Use Permit (SUP). Boston Harbor Now will assist the vendor in obtaining SUPs for special events in an expedited process. Any requirements from DCR for additional staffing, security, or additional mechanisms for protecting the park resources or public safety will be documented in the permit. The vendor will be responsible for payment for any additional DCR staff costs, security details, or other requirements identified in the permit. The vendor can expect that special events will require DCR staff on site to ensure that the site is appropriately set up, managed, and cleaned up for the park to open the next morning. The vendor can assume that at special events with more than 100 people where alcohol is served the DCR will likely require a State Police security detail. The vendor is responsible for payment of any costs associated with any requirements of the permit. These requirements may change as the vendor demonstrates the ability to safely and successfully manage events. Boston Harbor Now will help the selected vendor design appropriate events and secure Special Use Permits in an expedited fashion, but ultimate authority to approve any event remains at the discretion of the DCR. Permit requests must be submitted no later than two weeks prior to a requested event.

## Equipment, Supplies and Storage

### Food Preparation Equipment

Boston Harbor Now owns the existing concession equipment (a list of existing equipment will be provided at the site visit) except fixtures permanently part of the building which belong to the DCR. The vendor is expected to use the equipment and premises in a responsible fashion and is responsible for required routine maintenance and for repairs due to normal wear and tear. If the premises or equipment are damaged through misuse or error, timely repair or replacement is the responsibility of the vendor. The vendor shall be responsible for the purchase, transport, installation and maintenance of any and all required equipment for food storage and preparation beyond what is provided by Boston Harbor Now as identified during the site visit.

Boston Harbor Now and its partners are dedicated to supporting “green” operations in the park. Reducing waste and following a “carry-in, carry-out policy” are park standards. Toward this end, the vendor is required to use reusable, recyclable or recycled items whenever possible.

### Storage of equipment and supplies

The vendor shall be responsible for, at its sole cost and expense, obtaining any additional storage space required for the operation of the concession. The vendor shall not store any equipment or supplies at the premises without the prior approval of Boston Harbor Now and DCR. No item shall be placed in any public space, including the ground adjacent to the premises without Boston Harbor Now and DCR’s prior approval. The vendor will be required to safely store all outdoor equipment on a nightly basis and anytime the concession is closed.

## Tables and Chairs

The existing tables and chairs in the food concession areas and special events areas on each island are available to the vendor for use for the concession services and for special events, and may be supplemented by the vendor through purchase or rental from a reputable vendor with approval of Boston Harbor Now. Movement of picnic tables from public to private areas must be arranged in advance with DCR and moved and returned by the vendor.

## Sales, Service and Consumption of Alcohol

Past practice has allowed the selected vendor to serve (but not sell) alcoholic beverages to persons over 21 years of age at permitted special events, provided that the vendor obtains and maintains the appropriate license(s) to serve and meets all the requirements of the DCR Special Use Permit. The selected vendor can assume that these practices will remain in place for special events under the new contract. Required permit conditions include, but are not limited to:

- All alcohol must be served by a TIPS-certified, licensed bartender.
- Beer/wine garden hours of operation are subject to negotiation and further discussion between Boston Harbor Now and DCR
- The vendor must obtain and maintain all necessary seasonal or special event alcohol licenses from the city of Boston or any other public agencies
- All alcohol consumption must be contained to designated areas specified in the Special Use Permit. Customers are not allowed to leave the designated areas with any alcoholic beverages. The vendor must employ staff necessary to ensure that alcohol consumption remains within these areas.
- Alcohol may not be served in glass containers (i.e., no beer/wine bottles, glassware, etc.)
- Events involving alcohol service may require a state police detail. Responsible consumption of alcohol is allowed, however unruly behavior will be grounds for ceasing alcohol service at any event.
- Vendor is responsible for displaying “No Alcohol Beyond This Point” signs provided by DCR during all events.
- Boston Harbor Now and previous vendors have demonstrated that the service of alcoholic beverages at special events can be appropriately managed in a park setting. Because of our demonstrated past success, Boston Harbor Now and DCR will consider proposals that include the sale of beer and wine (but not other alcoholic beverages) to the public daily at the food and beverage concessions or in the event spaces.
- Proposals must include detailed management, security and operations plans describing how the sale and consumption of beer and wine will be managed in a way that is appropriate for a public park setting. If the selected vendor presents an adequate management and security plan, Boston Harbor Now and DCR will consider authorizing daily sales of beer and wine on a pilot basis in 2020.

## Waste Management

The vendor will be responsible for the cleaning and upkeep of all daily food concession areas and special event spaces during the day and at the close of operating hours each day. The vendor will be responsible for collecting trash from food preparation areas and adjacent picnic areas throughout the day and at closing and transferring it to dumpsters on the islands provided by DCR. Arrangements for weekly trash removal are the responsibility of the vendor and must be coordinated through DCR to ensure barges are scheduled during suitable tides and in such a way as to have a minimal impact on park operations.

## Utilities

At the time of release of this RFP, utility costs on the Islands cannot be separately metered for the concessions and event spaces. Should this condition change and utilities can be metered separately, the vendor will be responsible for payment of relevant utility bills. The vendor is responsible for procuring and the cost of propane to service the food concession on Georges Island.

## Capital Improvements

Boston Harbor Now and DCR will consider proposals from the vendor for reasonable capital improvements to the concessions and associated facilities which are conducive to the enhancement and increased revenue of the concessions or to facilitate a better visitor experience and undertaken at the vendor's expense. Awarding the contract does not indicate approval of any proposed improvements. Any capital improvements will require the approval of the DCR. Proposers should provide a narrative description of any proposed capital improvements with their proposals.

## Transportation of staff, equipment, and supplies

The selected vendor will be responsible for procuring and paying for all transportation for staff, equipment and supplies for their operations on the Islands. A well thought out and managed transportation plan is fundamental to the success of operating food and beverage services as well as special events business on the Harbor Islands. DCR will help manage and receive large deliveries by barge to the Islands, but all product arrangements are the responsibility of the selected vendor. Past vendors have worked with Acushnet Marine in Hull, Massachusetts and Boston Harbor Cruises for barging and ferry transport of equipment, supplies provisions and staff. Proposers should be in contact with barge and ferry operators in advance of submitting proposals.

Through 2019, the public ferries serving the Islands are operated by Boston Harbor Cruises, under contract to Boston Harbor Now. Under the contract, vendor staff while on duty will be provided free transportation to and from Georges and Spectacle Islands from Long Wharf in Boston on the public ferries. The selected vendor will also work in cooperation with the contracted provider of the public ferry service (currently Boston Harbor Cruises) to develop, sell and market public special events as described in this RFP.



# Annual Park Season and Operations Calendar

Spring Season: Mid-May to mid- June

Summer Season: End of June to Labor Day

Fall Season: Labor Day to Columbus Day

The daily food concession service begins with the opening of the Park in mid-May and continues through Columbus Day. From Park opening in mid-May through Memorial Day, food and beverage service is expected to be open at a minimum on weekends and holidays. From Memorial Day through Labor Day, the concessions on Georges and Spectacle Islands are expected to be open when the park is open. After Labor Day and through Columbus Day the vendor is expected to open the concession at a minimum on weekends and holidays.

The change from spring to summer season and from summer to fall season is important for the vendor because there is an expanded ferry schedule including earlier departures and later returns during the peak summer season. The complete ferry schedule for 2019 can be found at [www.bostonharborislands.org/ferry-schedule/](http://www.bostonharborislands.org/ferry-schedule/).

Boston Harbor Now and DCR staff will work closely with the selected vendor to help plan and manage for the transport of goods and equipment needed to run the concessions on each island, but the vendor is expected to be self-sufficient and provide adequate staff and equipment necessary for managing the movement of all equipment and supplies to and from the Island, including on-island from ferries or barges to the food concession and storage shed. DCR or Boston Harbor Now staff are not assigned daily to assist the vendor with moving equipment, supplies or trash. There is a DCR caretaker on site 24 by 7 and maintenance staff on the island when needed, and the vendor is expected to coordinate with staff and follow their direction when on Island with regards to moving equipment and supplies or storage.

## DCR Management of Georges and Spectacle Islands

Georges Island and all its facilities are owned and managed by the DCR. Spectacle Island all its facilities are owned jointly by the City of Boston and the DCR, and managed by the DCR. Boston Harbor Now supports the DCR's operations on the Islands through various activities including procurement and management of vendors. The selected vendor will be under contract to Boston Harbor Now to provide services, but as the property owner and manager, DCR has ultimate authority on all island operations. Boston Harbor Now and DCR will work jointly with the vendor to plan and manage services on the islands. DCR staff are the primary contact on the islands for resolving day-to-day operational concerns and to ensure coordination and integration with park operations and the needs of the public visiting the park.

## Spectacle Island Facilities and Operations

A general description of Spectacle Island and the public amenities and activities available to visitors can be found at <http://bostonharborislands.org/spectacle-island/>

The food concession is located on the main floor of the visitor center. It consists of an L-shaped kitchen, approximately 300 square feet, located at the south end of the visitor center. It has a service counter, with a roll-up security cover, opening into the multi-purpose room. It also has an operable window for outside service. The kitchen is equipped with a standard 3-bay sink plus nearby hand washing sink, floor drains and is built out to provide health-code compliant basic food service. All existing kitchen equipment is the property of Boston Harbor Now. A lockable storage room of approximately 120 sq. ft. is adjacent to the kitchen and is available for use by the food service vendor. The outside window opens adjacent to the porch and a 40' x 60' tented picnic area.

A listing of equipment in the concession will be available at the site visit. However, it is understood that sufficient equipment exists to provide basic concession service.

There is a 40' x 60' tented picnic area adjacent to the concession available for public use during the day. There is also a 20' x 30' tent located at the base of the pier as well as a 40' x 60' tent on the saddle. The tented areas, as well as the Visitor Center, walkways and porches are available for special events in the evening after the public have left for the day on the last ferry. The tented area is currently not available for special events during the day, as it provides a shaded area for the public on the Island. The vendor is encouraged to consider and propose whether additional shaded/tented areas could be created, including on the pier or elsewhere on the Island, suitable for hosting special events or expanding the shaded area available for the public during the day. The existing tent is owned by Boston Harbor Now. It is the responsibility of the selected vendor to have the tent installed and then removed, cleaned, repaired and stored annually by a qualified contractor. In addition to existing facilities, Boston Harbor Now encourages the vendor to consider push-cart sales of food and beverage as well as retail merchandise at various locations around the Visitor Center, subject to DCR approval. Proposals which consider this as an enhancement to visitor services are encouraged. Any additional investment in tented areas, push carts or additional storage will be at the vendors expense, or subject to negotiations with Boston Harbor Now.

There is a 10' x 12' storage shed (120 sq. ft.) located on the pier for the use of the vendor. Additional storage sheds may be installed at the vendor's expense on the pier or elsewhere, but note that there is limited space for additional storage adjacent to the Visitor Center.

Spectacle Island is a capped landfill; as such, no activities or actions may be undertaken which would impact the cap. Any proposed activities or actions involving exterior installations or construction which would penetrate the ground must be approved by Boston Harbor Now, DCR, and the City of Boston in advance.

## Georges Island Facilities and Operations

A general description of Georges Island and the public amenities and activities available to visitors at <http://bostonharborislands.org/georges-island/>

The food concession is located adjacent to the visitor center. The visitor center and food concession area is illustrated in the attachments . The kitchen area is approximately 435 square feet with two service windows facing a sheltered seating area. There is a 15' × 9.5' (142.5 sq. ft.) storage room adjacent to the kitchen, and a 4'3"L x 5'3" W x 7' H walk-in refrigerator. A listing of equipment in the concession will be available at the site visit on February 10. However, it is understood that sufficient equipment exists to provide basic concession service.

The covered seating area adjacent to the food service area is approximately 1,495 square feet. There is a large outdoor tented area on the north side of the island, approximately 200 yards from the Visitor Center, that is available to the vendor for daytime and evening special events. The tented area is roughly 40' x 80' in size with a layer of gravel as the base. The existing tent is owned by Boston Harbor Now. It is the responsibility of the selected vendor to have the tent installed, removed, cleaned, repaired, and stored annually by a qualified contractor.

Adjacent to the tented area is a 20'x10' (120 sq. ft.) lockable shed, with 100 amp electric service and an 18 cu. ft. freezer unit. There is water service adjacent to the shed. Additional storage sheds may be considered at the vendor's expense near the existing storage shed, but note that there is limited space and any additional storage requires DCR approval.

Inside the Visitor Center there is a small gift shop that will be made available to a successful vendor for retail merchandise sales. Food and beverages are not permitted inside the Visitor Center. Please note that Fort Warren on Georges Island is closed after the last ferry departs, and guests at evening special events are not allowed into the fort after hours for safety reasons.

## Instructions to Proposers

### Project Manager Contact Information

The Project Manager at Boston Harbor Now for this RFP is Jack Murray, VP Partnerships and Operations. All questions should be addressed to [foodrfp@bostonharbornow.org](mailto:foodrfp@bostonharbornow.org).

### Schedule for Proposals, Mandatory Site Visit, and Interviews

**ISSUE DATE:** August 8, 2019

**INFORMATION SESSION & MANDATORY SITE VISIT:**

August 29, 2019 from 10:00 AM- 2:00 PM

Meet at the [Courthouse Dock](#) at 9:45 AM. Transportation provided to Georges and Spectacle Island.

**SEND IN QUESTIONS BY:** noon on September 9, 2019

**RESPONSES POSTED TO WEBSITE:** noon on September 12, 2019

**PROPOSAL DUE DATE:** noon on September 25, 2019

**INTERVIEWS:** Mid-October

## Mandatory Pre-Proposal Site Visit

There will be a mandatory site visit for all interested proposers on **August 29, 2019**. Attendance by a vendor representative at the site visit is mandatory in order for that vendor's proposal to be considered. The site visit will start at the Courthouse Dock followed by boat transportation to Georges and Spectacle Islands departing at 10:00 AM. The boat will return to Long Wharf by 2:00 PM.

This tour will take place rain or shine; only if there are extreme weather conditions that make boat transportation unsafe will the site visit be cancelled and rescheduled.

## Pre-registration Required for Site Visit

All interested potential respondents must pre-register for the site visit. Because of limited room on the boat, no more than 2 representatives from each respondent's organization should plan to attend the site visit. To pre-register, please send an email to Alankrita Narang [foodrfp@bostonharbornow.org](mailto:foodrfp@bostonharbornow.org) with a subject line '*Site visit registration*' and content including

1. the name of the company who will be submitting the bid,
2. the name, email address, and telephone number for the lead person participating in the site visit,
3. the names of all representatives who will be participating in the site visit

## Questions

If you have any questions about this RFP, please submit questions in writing via email to Alankrita Narang at [foodrfp@bostonharbornow.org](mailto:foodrfp@bostonharbornow.org) by **noon on September 9, 2019**. Answers to all questions will be posted to the Boston Harbor Now website at [www.bostonharbornow.org/current-rfps](http://www.bostonharbornow.org/current-rfps) by **noon on September 12, 2019**.

## Interviews

The Selection Committee will include representatives from Boston Harbor Now, DCR, and NPS. The Committee may decide to meet with certain proposers in mid-October.

## Delivery of Proposals

**One (1) original and five (6) copies of sealed proposals (including six copies of all required attachments) must be received by Boston Harbor Now by noon on September 12, 2019** by hand or mail delivery. A digital copy of the complete proposal must be sent by email by the same deadline to [foodrfp@bostonharbornow.org](mailto:foodrfp@bostonharbornow.org).

The original plus five (6) copies of the proposal should be on 8 1/2" X 11" paper. Proposals should not be submitted in plastic sleeves or spiral binders. Illustrations may be included. All proposals must be delivered in sealed envelopes bearing the name of the proposer on the outside and should be addressed to:

Jack Murray, VP Partnerships and Operations,  
Boston Harbor Now  
15 State Street, Suite 1100  
Boston, MA 02109

## Content and Form of Proposals

The proposal should include information in these categories:

- 1. Background Information**
- 2. Operating Experience**
- 3. Operations Plan(s) and Management;**
- 5. Concept and Marketing Plan;**
- 6. Financial Plan**

The Selection Committee will evaluate the proposals in each of these categories and will determine, in its sole discretion, which proposal best serves the overall interests of Boston Harbor Now and the Boston Harbor Islands National and State Park.

## Background Information

1. Name, Address, Telephone Number, and Email address of proposer
2. Description of proposer (Corporation, Partnership, LC etc.) and State of Incorporation
3. Evidence that the proposer is qualified to do business in the Commonwealth of Massachusetts
4. Name, Title, Business Address, Telephone Number, and Email address of the person responsible for submitting this proposal
5. Name, Title, Business Address, Telephone Number, and Email address of person with whom to communicate regarding this proposal if different from above
6. Name, Title, Business Address, Telephone Number, and Email address of all corporate officers of the entity submitting the proposal
7. URL for website of the proposing organization, if applicable.

## 8. Social Media Handles (Facebook, Twitter, Instagram)

### Services being proposed

All proposals must include proposals for the management of the concession operations and special events and catering on Georges and Spectacle Islands.

A retail and beer/wine garden component on the islands is optional. Inclusion of ideas about these two additional operations are preferable, however Boston Harbor Now could envision a scenario in which a licensed beer or wine garden could operate independently under a separate arrangement.

### Operating Experience

1. Describe the proposer's experience providing services similar to each of the components included in the proposal - daily food concession, special event management, beer/wine garden and retail merchandise.
2. Indicate whether or not the proposer has ever partnered with a government agency or non-profit organization, or provided services in a public park, and describe these experiences.
3. List and describe clients or locations within the last three years where you are operating or have operated services similar to those requested in this RFP.
4. If proposing a beer or wine garden, please describe any experience you may have managing this type of operation within the jurisdiction of the City of Boston, The Department of Conservation and Recreation and/or both.
5. Please indicate if any agreement for such an operation was ever terminated prior to the term of a contract, and if so why? Indicate by appropriate citation all litigation (including status or results) between proposer and any and all operators or owners.
6. Please attach a list of at least three (3) recent relevant references, with whom the proposer has previously worked and/or who can describe such matters as the proposer's operational capabilities and financial sustainability. Please include the name of the reference entity, a description of the nature of the listed reference's experience with the proposer and the name, title, address, and telephone number of a contact person at the reference entity who would be willing to speak to Boston harbor Now.

### Operations Plan and Management(s)

Provide an Operations Plan for the proposed services on Georges and Spectacle Islands. The Operations Plan should include at a minimum:

1. Your plan for transporting necessary equipment, supplies, and staff to the Islands (note that staff required to operate the daily food concession on the islands will be provided free transportation by the Park's contracted vendor for public ferries, currently Boston Harbor Cruises).

2. Your proposed menu offerings for the daily food concession on each island, for public clambakes (or other proposed recurring public events), and range of menus for special events, including proposed prices.
3. Your internal control mechanisms for ensuring food safety and quality.
4. A list of any and all City and/or State licenses required for providing proposed food services and serving and/or sale of alcoholic beverages, whether you currently hold any of these licenses, and your plans for obtaining any and all required licenses.
5. Your specific experience managing service and/or sales of alcoholic beverages, particularly for events or food service locations in outdoor or public spaces.
6. Your proposed point of sale system and how it will contribute to delivering fast and efficient service for patrons.
7. Any specialized or additional equipment you propose using beyond what is provided.
8. Proposed days and hours of operation for the concessions and retail, beer/wine garden, if applicable.
9. Your plans for routine maintenance of equipment.
10. Your plans for regular cleaning schedules for the concessions and event areas.
11. Your waste management plans.
12. Your safety and security plans, particularly with regard to managing the service, sale and consumption of alcoholic beverages.
13. Any short or long term site or cosmetic improvements you propose to invest in for the concession or special event sites. Any improvements require approval from Boston Harbor Now and DCR.
14. The number of staff to be assigned during the days and hours required for the concession and for special events. How will each service be managed? Who will be the primary point of contact for special event management? Who will be the point of contact for daily food concessions? If not the primary contact, who will be the on-site contact(s) for each component of the service? If you need to hire additional or new staff for management and to be primary points of contact, describe the qualifications and experience you will be looking for.

## Concept and Marketing Plan

The proposal should include your concept of a marketing plan with particular emphasis on the following:

1. Demonstration of your understanding of marketing services in the daily food and beverage industry and special events management and catering, in particular the seasonal or outdoor events market.
2. Challenges to a successful venture and suggestions for dealing with them.
3. Thoughts about advertising approaches and mediums or promotions that you would recommend

Boston Harbor Now will view favorably proposals that demonstrate an awareness of the role of the concessions and events as an integral part of the visitor experience to the Islands and a commitment to partnership with Boston Harbor Now, DCR, and NPS.

## Financial Capability

Please provide a description of the proposer's financial status, which is sufficient to enable Boston Harbor Now to evaluate the financial qualifications of proposer.

## Financial Return to the Park

In order to allow proposers the flexibility to develop a creative product offering and service level, no specific financial structure is required for this opportunity. Instead, Boston Harbor Now asks that proposers submit a creative financial proposal deemed appropriate for the successful and profitable operation of the service(s) and that will generate revenues for Boston Harbor Now to re-invest in the Park.

## Acknowledgements

Please include a letter signed by an appropriate officer of the proposing organization that includes the following acknowledgement:

*Proposer acknowledges that s/he has reviewed the attachments to the request for proposals, and that the terms thereof are incorporated by reference in this proposal. Proposer agrees that if its proposal is accepted, the proposer will enter into a final agreement with Boston Harbor Now. If the proposer is unable or unwilling to agree to or meet any of the conditions contained in this RFP, specify this problem and the proposed change as an addendum to the proposal form.*

*This proposal constitutes a firm offer. This offer shall be held firm and open for a period of 30 days, effective as of the proposal due date.*

*Proposers are advised to rely only upon the matters contained in this request for proposal and in any written clarifications or answers provided by Boston Harbor Now and disseminated to all proposers.*

*By submission of its proposal, the proposer(s) acknowledges that from and after the time that an agreement is executed, the sole basis for the right to provide services at Spectacle and Georges Islands specified in this request for proposals is by the award of an agreement pursuant to the receipt of proposals in response to Boston Harbor Now's request for proposals.*

*Proposer acknowledges that it is Boston Harbor Now's right to accept any proposal, or to reject all proposals, to modify or amend with the consent of the bidder any proposal prior to acceptance, to waive any informality and to affect any agreement otherwise, all as Boston*



*Harbor Now in its sole judgment may deem to be in its interest and the interest of the Boston Harbor Islands National and State Park.*

*Submitted, and all terms and conditions of the request for proposals and attachments thereto are hereby acknowledged and agreed to:*

**NAME OF PROPOSER: BY:**

**TITLE:**

## Consideration and Evaluation of Proposals

Boston Harbor Now reserves the right to accept or to reject any or all proposals, to withdraw or amend this request for proposals at any time, to initiate negotiations with one or more proposers, to modify or amend with the consent of the proposer any proposal prior to acceptance, to waive any informality and to affect any agreement otherwise, all as Boston Harbor Now in its sole judgment may deem to be in its best interest.

Boston Harbor Now will select the proposal that is most responsive to Boston Harbor Now's needs based on a demonstrated ability to successfully operate the requested services, a thoughtful and thorough response to the criteria specified in this request for proposals; and the proposal deemed to be in the best interest of Boston Harbor Now and the Boston Harbor Islands National and State Park.

By submitting a proposal, a proposer agrees that if Boston Harbor Now makes an award to the proposer, the proposer expects to enter into an agreement with Boston Harbor Now.

No proposal may be withdrawn after it is submitted to Boston Harbor Now unless the proposer makes the request in writing to Jack Murray, VP Partnerships and Operations, Boston Harbor Now, 15 State Street, Suite 1100, Boston, MA 02109 prior to the opening of the proposals.

## Execution of Agreement and Performance Bond

The proposer to whom the contract is awarded, shall execute and return to Boston Harbor Now a contract within forty five (45) calendar days after award along with satisfactory evidence of required licensing and insurance coverage.

## Information Provided

The information contained in this RFP and in any subsequent addenda or related documents are provided as general information only. Efforts have been made to do so, however, Boston Harbor Now makes no representations or warranties that the information contained herein is accurate, complete or timely. The furnishing of such information by Boston Harbor Now shall not create any obligation or

liability whatsoever and each Respondent expressly agrees that it has not relied upon the foregoing information and shall not hold Boston Harbor Now liable therefore.

## Confidentiality and Public Records

Any information provided to Boston Harbor Now in any proposal or other written or oral communication between the respondent and Boston Harbor Now will not be, or deemed to have been, proprietary or confidential, although Boston Harbor Now will use reasonable efforts not to disclose such information to persons who are not employees or consultants retained by Boston Harbor Now except as may be required by M.G.L. c.66. As owners of the properties where services will be performed, DCR, NPS and the City of Boston and appropriate City, State and Federal oversight agencies have the right to access information provided to Boston Harbor Now.

If you believe that your proposal contains trade secrets or confidential commercial or financial information, mark the cover page of each copy of the proposal with the following legend: The information specifically identified on the pages of this proposal constitutes trade secrets or confidential commercial or financial information that the Offeror believes to be exempt from disclosure. The Offeror requests that this information not be disclosed to the public, except as may be required by law. You must specifically identify what you consider to be trade secret information or confidential commercial or financial information on the page of the proposal on which it appears, and you must mark each such page with the following legend: This page contains trade secrets or confidential commercial and financial information that the proposer believes to be exempt from disclosure, and which is subject to the legend contained on the cover page of this proposal.

## No Personal Liability

Neither the members of Boston Harbor Now nor any individual member, officer, agent, or employee of Boston Harbor Now shall be charged personally by the proposer with any liability under any term or provision of the RFP.

## No Representation

Vendor(s) shall not represent himself/herself as an agent of Boston Harbor Now, the Department of Conservation and Recreation, the Boston Parks and Recreation Department, the National Park Service, or any other member of the Boston Harbor Islands Partnership.

## Contract Requirements

In a contract to be executed with the selected vendor, Boston Harbor Now will require at a minimum the following;

## Non-Discrimination and Diversity Policy

Boston Harbor Now prohibits discrimination in employment on the basis of race, color, religious creed, national origin, ancestry, gender, sexual orientation, age, Vietnam Era Veteran status, or disability. Boston Harbor Now is strongly committed to developing and maintaining a diverse workforce, and highly values the perspectives and varied experiences which are found only in a diverse workforce. Boston Harbor Now believes that promoting diversity is important to the success of its overall mission. Accordingly, Boston Harbor Now requires its vendors and vendors to comply with non-discrimination laws and encourages them to promote diversity within their workplace.

## Insurance Requirements

Boston Harbor Now will require the Vendor to provide at its own cost commercial general liability insurance for bodily injury and property damage, including products/completed operations, in a combined single limit of \$1,000,000. Boston Harbor Now, the Massachusetts Department of Conservation and Recreation, the Boston Parks and Recreation Department, the National Park Service, must be listed as additional insureds. Boston Harbor Now will also require Workers Compensation and Employer's Liability Insurance in such amounts as may be required by law and other insurance and limits of liability as may be reasonably required by Boston Harbor Now from time to time or such other insurance policies as may be required in the Agreement.

All of the furnishings, fixtures, equipment, effects, and property of every kind, nature and description of the vendor(s) shall be at the sole risk and hazard of the vendor and if the whole or any part thereof shall be destroyed or damaged by fire, water or otherwise, or by the leakage or bursting of water pipes, no part of said loss or damage is to be charged to or to be borne by Boston Harbor Now, DCR, NPS, or the City of Boston provided, however, Boston Harbor Now, DCR, NPS, City of Boston shall in no event be exonerated from any liability to the vendor or to any other person for any injury, loss, damage, or liability directly and solely caused by the negligence or willful misconduct of Boston Harbor Now, DCR, NPS, or the City of Boston or its agents, employees or vendors.

The vendor assumes all risk in connection with any and all activities engaged in by him/her/them on the islands, in transit to or from the islands, and on the Greenway and shall be solely responsible and answerable in damages for all accidents or injuries to persons or property, including death, unless directly caused by the negligence of Boston Harbor Now, DCR, City of Boston, National Park Service, and their agents, employees or vendors. The vendor shall indemnify and hold Boston Harbor Now, DCR, City of Boston, and the National Park Service, and their officers, agents and employees harmless from any and all claims, actions at law, suits in equity, losses, damage, costs or injury of whatever kind and nature, including death, whether direct or indirect, arising out of the activities of vendor in or about the islands, or caused by any act, neglect, fault, work, improper conduct, omission, or breach of any covenant or condition by their agents, employees, vendors, or licensees.

The vendor shall indemnify and hold Boston Harbor Now, DCR, City of Boston, National Park Service, the Greenway Conservancy harmless from and against all bills for labor performed and equipment, fixtures and materials furnished to vendor, and applicable sales taxes thereon as required by Massachusetts law, and from and against any and all liens, bills, or claims therefore or against the Park, or any element thereof, and from and against all losses, damage, costs, expenses, suits and claims whatsoever in connection with any repairs, additions, or alterations made by Vendor. The cost of all repairs and alterations shall be paid for in cash or its equivalent, so that the Park shall at all times be free of liens for labor and materials supplied or claimed to have been supplied.

## Internal Controls

Throughout the contract term, the vendor will be required to maintain a revenue control system to ensure the accurate and complete recording of all revenues, in a form and manner acceptable to Boston Harbor Now, DCR, and NPS. This revenue control system must maintain detailed sales information from each sales transaction by island location and business source (daily concession, special events, retail merchandise sales). Specifically, sales information must be recorded via a point-of-sale system, and must include details on each sales transaction. The concessionaire must also establish a dedicated bank account for all deposits related to this concession's revenue.

## Reporting Requirements

The vendor will annually prepare and submit to Boston Harbor Now, by November 15<sup>th</sup> of each year, an audited report for the prior preceding November through October period that details gross revenues for each of the concessions by location, for the special events by location, the Park Improvement and site rental fees collected on behalf of DCR and NPS, and expenses for management and operation of services. Monthly reports (non-audited) will be required by the 15<sup>th</sup> of every month during the season for the prior month.

Boston Harbor Now shall have the right at reasonable times and upon reasonable notice to examine the books, records, and other compilations of data of vendor(s) which pertain to the performance of the provisions and requirements contained in this Request for Proposals. The vendor shall preserve all its accounting books and records pertaining to the contract for a period of three years following the termination or expiration of the contract to be entered into between the vendors and Boston Harbor Now.

## On-Site Advertisements, Signage, and Notices

The design and placement of all signage, including signage which includes the vendor's name, tradename(s) and/or logos, is subject to Boston Harbor Now's prior written approval. The vendor will be allowed to place approved signage on the exterior of the premises.

The display or placement of tobacco advertising shall not be permitted. Any type of advertising which is false or misleading, which promotes unlawful or illegal goods, services or activities, or which is

otherwise unlawful, shall be prohibited. Advertising of product brands is prohibited without Boston Harbor Now's prior written approval. Any prohibited material displayed or placed shall be immediately removed by vendor upon notice from Boston Harbor Now at the vendor's sole cost and expense.

## Security

Pursuant to a plan approved in writing by Boston Harbor Now, the vendor, at its sole cost and expense, shall be responsible for all security at the concession areas, beer/wine garden and events sites during hours of regular operation and during any events hosted by the vendor. A special event may require attendance by a park ranger or police officer to ensure public safety and protection of the resources. For events and functions proposed by the vendor which meet the thresholds for police details, such costs will be borne by the vendor.