

MEMORANDUM

FEBRUARY 14, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: LARRY MAMMOLI, DIRECTOR FOR ENGINEERING AND FACILITIES
MANAGEMENT
MARK V. DONAHUE, DEPUTY DIRECTOR FOR ASSET
MANAGEMENT
RICHARD MULLIGAN, SENIOR PROJECT MANAGER

SUBJECT: 2013 DOWNTOWN WATERFRONT VENDOR SERVICES PROGRAM,
FOOD KIOSKS

SUMMARY: This Memorandum requests authorization for the Director: (1) select New England Aquarium Corporation as the vendor for the 2013 Food Vendor Services Program; and (2) to enter into a license agreement with New England Aquarium Corporation.

BACKGROUND

On November 15, 2012 the Boston Redevelopment Authority (“BRA”) Board voted to authorize the advertising of a Request for Proposals (“RFP”) for the solicitation of bids for kiosk space at Long and Central Wharves in the Downtown Waterfront District of the City of Boston for the 2013 season.

The Downtown Waterfront, located along Long and Central Wharves, is one of the Boston Redevelopment Authority’s most visible properties. The demolition of the elevated Central Artery and its replacement with the Rose Kennedy Greenway has reunited the City with its harbor. The Walkway to the Sea, New England Aquarium, Rose Kennedy Greenway and Christopher Columbus Park make Boston’s Downtown Waterfront one of the most appealing tourist destinations in the country.

The Downtown Waterfront provides a unique and comfortable gathering place with shade, sun, seating and panoramic views of Boston Harbor. The epicenter of Boston’s Harborwalk and the nexus of the growing water transportation infrastructure system, this area is one of the City’s most visited tourist destinations. The New England Aquarium and Imax Theater, Charlestown Navy Yard water shuttles, whale watch excursions and party cruises as well as fine dining al fresco make this area the hub of

summer activity in the city. All these attributes make the area a lucrative location for vending activities.

The vending program is developed with the goals of further encouraging the use of the Downtown Waterfront as the truly landmark public space that it represents. This vendor program creates opportunities for selected vendors to sell food to the public, increasing the number of people who use and activate the Downtown Waterfront. The selected vendor will enter into a License Agreement with the BRA for the 2013 season and be required to pay the BRA a minimum monthly fee of at least \$3,500.00. All monies collected from vending activities in this area are reinvested into maintaining the area through needed capital improvements including snow and trash removal, power washing, light maintenance, security, etc.

Vending services provided on the Downtown Waterfront will be subject to restrictions regarding location, use, legal requirements, permitting requirements, and program practices as required by the License Agreement with the provider, such as safety, cleanliness and sanitation, image, identity and visual presentation, business management, as well as applicable City of Boston regulations.

TERMS AND CONDITIONS

The License Terms shall be for the 2013 season effective from April 15, 2013 to December 31, 2013. Each Licensee shall provide insurance in the forms and amounts acceptable to the BRA General Counsel naming BRA as an additionally insured party and shall pay to the BRA a minimum of \$3,500.00 per month for use of the BRA-owned property.

Proponents were offered the opportunity, though were not required, to bid a higher fee to secure a specific desired location.

The following bids were received:

- New England Aquarium Corporation submitted a bid of \$4,200.00 per month; and
- Boston Pushcarts submitted a bid of \$3,500.00 per month.

As there is only one (1) food vendor location, New England Aquarium Corporation will be the only BRA licensee for food vending.

FISCAL IMPACT

As a result of the bidding for the food vendor, the BRA will receive a minimum of \$42,000.00 for the 2013 season.

An appropriate vote follows:

VOTED: That the Director be, and hereby is, authorized to select the New England Aquarium Corporation as the food vendor for the 2013 Food Vendor Services Program on behalf of the Boston Redevelopment Authority (“BRA”) to enter into a License Agreement with such vendor for use of certain BRA-owned property located on East India Row on terms and conditions determined to be in the best interest of the BRA by the Director in his discretion.