



NYC Parks

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### **PUBLIC NOTICE OF RATIFICATION OF MINOR RULES VIOLATION**

On June 22, 2017, pursuant to Section 1-11(a)(ii) of the rules found at Title 12 of the Concession Rules of the City of New York (“Concession Rules”), the City Chief Procurement Officer (“CCPO”) ratified a minor Concession Rules violation request made on June 7, 2017 by the New York City Department of Parks and Recreation (“Parks”) for Solicitation No. M89-SB-2016, request for proposals for the development, operation, and maintenance of a snack bar at Union Square, Manhattan (the “Concession”). Parks and the CCPO have determined that the minor violation, which occurred with regard to Parks’ error in complying with Section 1-13(a)(3) of the Concession Rules, resulted in no adverse impact on quality or level of competition in the City for the relevant time period, and that ratification of the Concession award will not violate any law applicable to the concession process.

Parks intends to award the Concession to Good Nut Bad Nut LLC, for a term of seven (7) years. For each operating year, the concessionaire shall pay to the City a license fee consisting of a guaranteed annual fee, Year 1 - \$200,000.06, Year 2 - \$206,000.06 Year 3 - \$212,180.06, Year 4 - \$218,545.47, Year 5 - \$225,101.83, Year 6 – \$231,854.88, Year 7 - \$238,810.53, all years vs. 5% of Gross Receipts over \$1,250,000.00.