



# Chicago Park District

## Legislation Text

File #: 15-2437-1118, Version: 1

### **AUTHORIZATION TO ENTER INTO A CONCESSION PERMIT AGREEMENT FOR THE OPERATION OF THE CONCESSION KIOSK AT MARIANO PARK**

To the Honorable Board of Commissioners of the Chicago Park District

#### **I. Recommendation**

Pursuant to Chapter IX of the Code of the Chicago Park District, it is recommended that the General Superintendent and CEO or his designee enter into a concession permit agreement with Bow Truss Coffee Roasters for the operation of the concession kiosk and adjacent plaza at Mariano Park. The concessionaire was selected pursuant to a publicly advertised Notice of Availability. No work may commence prior to the execution of a written concession permit agreement.

#### **II. Concessionaire Information**

Concessionaire: Bow Truss Coffee Roasters  
3128 N. Broadway  
Chicago, Illinois 60657

Company Type: Limited Liability Company

Majority Interest: Doejo, LLC 100%  
- Phil Tadros 70%  
- Darren Marshall 30%

#### **III. Concession Permit Agreement Summary**

Term of Concession Permit Agreement: Seven (7) years with three (3) one (1) year extension options. Extension options exercisable solely at the discretion of the Chicago Park District.

Scope of Services: Operation of the concession kiosk at Mariano Park. Services include but are not limited to: preparation and sale of food and beverages, maintenance, landscaping, utilities, marketing, and staffing.

Business Terms: See Exhibit A

Affirmative Action Goals: Minority and Women Owned Business Enterprise participation for this concession permit agreement includes: 25 % MBE participation and 10% WBE participation.

Authorization: Authorize the General Counsel to include other relevant terms and conditions in the written Concession Permit Agreement. Authorize the General Superintendent to execute the Concession Permit Agreement and the Secretary to attest as to the signing of the Concession Permit Agreement and keep an original copy of the Concession Permit Agreement on file.

#### **IV. Notice of Availability and Selection Process Summary**

Date Notice of Availability Advertised: January 23, 2015  
Site Visit and Meeting: February 4, 2015

Original Application Due Date: February 20, 2015  
Extended Application Due Date: March 18, 2015

The Department of Revenue (“Revenue”) publicly advertised this Notice of Availability (“NOA”) in the Chicago Sun-Times and it was made available for download from the Chicago Park District’s (“CPD”) home page. Revenue also undertook other efforts to announce the NOA including notifying some of the CPD’s existing concessionaires and the Illinois Restaurant Association. Additionally, pursuant to Chapter IX of the Code, an announcement of this NOA was sent to and posted in CPD field houses and the Administration Building and remained in place until the application due date. Lastly, and also pursuant to Chapter IX of the Code, the Director of Legislative and Community Affairs sent the announcement of this NOA to six “locally affected advisory councils”.

The NOA described the opportunity in six (6) pages, discussed the application review and selection process including the review criteria, and included some of the terms and conditions that will be part of the Concession Permit Agreement (e.g. termination for convenience, assignment, and MBE/WBE participation). Additionally, the NOA instructed applicants to complete and submit as part of their application: (i) a description of their concession kiosk and plaza design and operation, (ii) their proposed business terms; and (iii) a description of the applicant’s experience.

Eight applications were received by the extended application due date, and Revenue convened an Application Review Committee (“ARC”) comprised of CPD personnel that would review the applications and recommend an applicant for award of the CPA at Mariano Park. The ARC held their first meeting on April 7, 2015 and found all applicants to be incomplete. Accordingly, the ARC decided to notify each applicant and give them an opportunity to complete their application and all eight applicants submitted the additional information necessary by the ARC’s May 30. With all applications complete, the ARC convened their second meeting on June 9 to discuss the applications, and the ARC decided to invite each applicant for presentations on July 7, 10, and 24. The ARC met again to continue their discussion of the applications on August 26, and they also agreed to have each ARC member submit their score sheet to Revenue by September 30. At the final ARC meeting on October 20, the scores were tabulated and Bow Truss Coffee Roasters was the highest scoring applicant and recommend by the ARC for award of the Concession Permit Agreement for Mariano Park.

## **V. Explanation**

The Chicago Park District (“CPD”) requires the services of a concessionaire for the operation of the concession kiosk and adjacent plaza at Mariano Park. The park is located in the Gold Coast neighborhood, and its plaza features a historic kiosk designed in 1900 by a Birch Burdette Long, a protégé of Frank Lloyd Wright.

Bow Truss Coffee Roasters (“Bow Truss”) currently has operates seven cafes across Chicago including at Columbia College and the Virgin Hotel. They locally roast nearly a quarter million pounds of coffee from coffee beans imported from all over the world. In addition to stocking their own cafes, Bow Truss distributes coffee wholesale to over 75 local cafes, hotels, and markets including Whole Foods. Annual sales are over \$2.5M per year and they have received several awards for coffee and barista excellence

Bow Truss proposes to pay homage to the kiosk designer by naming their concession operation Café Birch. They will operate out of the existing kiosk and will not make major capital improvements to it; however they plan to make minor repairs as well as restoration of the kiosk’s historic elements. Further, Bow Truss investment is planned in the landscaping, new upgraded patio furniture, and new equipment for their food and beverage operation. Regarding their food and beverage operation, they plan to offer their locally roasted and specialty coffee and working with their locally acclaimed vendors and partners they will also offer fresh bakery items, grab and go sandwiches, salads, and handmade gelato. Lastly, their operations plan extends beyond food and beverage offerings, and when feasible they will consider programming at the plaza with activities such as sunrise yoga, seasonal market days, and pop-up shops.

Bow Truss Coffee Roasters has the experience, capability, and personnel necessary to operate the concession kiosk and plaza at Mariano Park. Therefore, it is in the best interest of the Chicago Park District to recommend Bow Truss Coffee Roasters for the award of the Concession Permit Agreement for Mariano Park.

## **VI. General Conditions**

1) *Conflicts*: The Concession Permit Agreement shall not be legally binding on the Chicago Park District if entered into in violation of the provisions of 50 ILCS 105, the Public Officer Prohibited Activities Act.

2) *Ethics*: The Chicago Park District’s Ethics Code, Chapter III of the Code of the Chicago Park District, shall be incorporated into and made part of the Concession Permit Agreement.

3) *Contingent Liability*: Any concession permit agreement lawfully entered into for a period of more than one year shall be executory only for the amounts for which the Park District may become liable in succeeding fiscal years pursuant to Section 17(i) of the Chicago Park District Act, 70 ILCS 1505/17(i). All concession permit agreements authorized herein shall contain a clause that any expenditure beyond the current fiscal year is subject to appropriation in the subsequent fiscal year budget.

4) *Economic Disclosure Statement and Affidavit ("EDS")*: Concessionaire has submitted a full and complete EDS.