

# MEMORANDUM

**To** All NYC Borough Presidents  
All NYC Community Board Presidents

**From** Christina Rowley, VP of Licensing New York City Tourism + Conventions

**CC:** Daryl Williams, Department of Small Business Services  
Alexandre Stamoulis, Mayor's Office of Contract Services  
James Goebel, Mayor's Office of Contract Services  
FCRC@mocs.nyc.gov  
Natalie Koepff , New York City Tourism + Conventions

**Subject** Notice of Intent to Seek FCRC approval to utilize a different procedure to negotiate a Sole Source License Agreement with CAA Brands USA, LLC for the licensing rights or the right to act as licensing agent for the manufacture, sale and distribution of products bearing the City's intellectual property, specifically the rights to use City trademarks commercially in markets outside of the United States and Canada

**Date** 1/5/2024

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In accordance with Section 1-16 of the Concession Rules of the City of New York, New York City Tourism + Conventions, on behalf of the NYC Department of Small Business Services, is seeking Franchise and Concession Review Committee approval to utilize a different procedure to negotiate a sole source license agreement with CAA Brands USA, LLC for the licensing rights or the right to act as licensing agent for the manufacture, sale and distribution of products bearing the City's intellectual property, specifically the rights to use City trademarks commercially in markets outside of the United States and Canada.

This concession has been determined not to be a major concession as defined in Chapter 7 of the Rules of the City Planning Commission.

If you have any questions or comments, please feel free to contact Christina Rowley, [crowley@nyctourism.com](mailto:crowley@nyctourism.com)

Thank you.

# Rule 1-16: Different Procedure

## Concession Agreement Pre-Solicitation Review Memorandum Cover Sheet

Concession Title \_\_\_\_\_ Concession ID \_\_\_\_\_

Description \_\_\_\_\_ Agency \_\_\_\_\_

Additional information has been attached to this document (please use the "Additional Information Form" available on BuyWise)

### Proposed Concession Justification

The Agency has determined it is practicable or advantageous to use a Different Procedure over other methods because:

#### Indicate the Different Procedure utilized

- Sole Source       Amendment  
 Not-for-Profit Agreement  
 Other \_\_\_\_\_

### Proposed Concession Details

Concessionaire \_\_\_\_\_  Not yet determined      Concession Site(s)  Yes     No  
EIN/TIN \_\_\_\_\_      Address \_\_\_\_\_  
Initial Term \_\_\_\_\_  
Renewal Option(s) \_\_\_\_\_      Borough \_\_\_\_\_ Community Board \_\_\_\_\_  
Total Potential Term \_\_\_\_\_      Block# \_\_\_\_\_ Lot# \_\_\_\_\_

#### Proposed Concession Revenue

- (Check all that apply)  
 Annual Minimum Fee \$ \_\_\_\_\_  
 Gross Receipts \_\_\_\_\_ %  
 The Greater of Annual Minimum Fee(s) of \$ \_\_\_\_\_ vs \_\_\_\_\_ % of Gross Receipts  
 Other Formula

### Prior Concession Details

N/A (No Prior Concession)

Concessionaire \_\_\_\_\_  EIN or  SSN # \_\_\_\_\_  
Initial Term \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_      Address \_\_\_\_\_  
Renewal Option(s) \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_  
Total Potential Term \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_      Borough \_\_\_\_\_ Community Board \_\_\_\_\_  
Concession Site(s)  Yes     No      Block# \_\_\_\_\_ Lot# \_\_\_\_\_

#### Prior Concession Revenue

- (Check all that apply)  
 Annual Minimum Fee \$ \_\_\_\_\_  
 Gross Receipts \_\_\_\_\_ %  
 The Greater of Annual Minimum Fee(s) of \$ \_\_\_\_\_ vs \_\_\_\_\_ % of Gross Receipts  
 Other Formula

### Community Board / Borough President Notice Requirements (Check all that apply)

**This is a Significant Concession**       Yes     No

(if yes, please select all applicable boxes below)

- Total potential term =/ > 10 years  
 Projected annual income/value to City > \$100,000  
 Major Concession

**Intent to Seek a Different Procedure**

- Agency notified affected Community Boards and Borough Presidents on \_\_\_/\_\_\_/\_\_\_ (at least 40 days prior to bringing the item to an FCRC meeting) that it intends to seek Committee approval of a Different Procedure. A copy of this notice has been provided to the Mayor's Office of Contract Services for distribution to the committee

**This is a Major Concession**       Yes     No

(if yes, please be aware the award will be subject to review and approval pursuant to Sections 197-c and 197-d of NYC Charter)

- Agency notified affected Community Boards and Borough Presidents on \_\_\_/\_\_\_/\_\_\_

### Authorized Signatures

#### Agency Staff

This is to certify that the information presented herein is accurate

Signature \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_ Date \_\_\_\_\_

#### City Chief Procurement Officer

This is to certify that the agency's plan presented herein will comply with the prescribed procedural requisites for the award of the subject concession

Signature \_\_\_\_\_  
Date \_\_\_\_\_ City Chief Procurement Officer

# ADDITIONAL INFORMATION

For Agency Use With Concession Forms

Concession Title \_\_\_\_\_ Concession ID \_\_\_\_\_  
Description \_\_\_\_\_ Agency \_\_\_\_\_

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# FRANCHISE AND CONCESSION REVIEW COMMITTEE

(Cal. No. 1)

RESOLVED, that the Franchise and Concession Review Committee (“FCRC”) authorizes *New York City Tourism + Conventions on behalf of the New York City Department of Small Business Services (“SBS”)* to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to negotiate a Sole Source License Agreement with CAA Brands USA, LLC. for the licensing rights or the right to act as licensing agent for the manufacture, sale and distribution of products bearing the City’s intellectual property, specifically the rights to use City trademarks commercially in markets outside of the United States and Canada.

BE IT FURTHER RESOLVED, that *New York City Tourism + Conventions on behalf of SBS* shall submit the sole source agreement it proposes to enter into with CAA Brands USA, LLC to the FCRC for approval.

**THIS IS A TRUE COPY OF THE RESOLUTION ADOPTED BY THE  
FRANCHISE AND CONCESSION REVIEW COMMITTEE ON**

***2/14/2024***

**Signed:** \_\_\_\_\_

**Title:** Chief City Procurement Officer

**Date:** \_\_\_\_\_