

**RECOMMENDATION FOR AWARD OF CONCESSION AGREEMENT MEMORANDUM:
CONCESSION AGREEMENT AWARDED BY OTHER THAN CSB OR CSP**

SUMMARY OF PROPOSED CONCESSION USE (Attach Proposed Agreement)

The New York City Department of Parks and Recreation (“Parks”) intends to seek Franchise and Concession Review Committee (“FCRC”) approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to enter into a Sole Source License Agreement (the “Agreement”) with Row New York Inc. (“Licensee”) for the use, maintenance and operation of rowing facilities at Sherman Creek, Manhattan.

Instructions: *Provide all information requested below; check all applicable boxes.*

A. SELECTION PROCEDURE

Sole Source

Other *Describe:*

B. NEGOTIATIONS

Instructions: *Describe the nature of negotiations conducted, including negotiations with respect to the amount of revenue offered.*

The term of this Agreement shall be twenty (20) years and shall commence on Parks’ giving written notice to proceed to Licensee.

All gross receipts received by Licensee will be used exclusively to pay all costs incurred by Licensee in operating, programming, repairing, maintaining and managing the Licensed Premises and in performing Licensee obligations and providing services required or permitted by the Agreement (“Expenses”). If the gross receipts received by Licensee for any Fiscal Year exceed such costs (“Excess Revenues”), any Excess Revenues shall be used exclusively to pay Expenses incurred in any subsequent Fiscal Year.

C. BASIS FOR AWARD (If sole source award, attach the offer; if other than a sole source award, attach the three highest rated offers, if applicable.)

The agency determined that award of the concession is in the best interest of the City because:

Launched in 2002 with one borrowed boat and eight eager rowers, Row New York Inc. (“Row NY”), a non-profit organization, empowers young people from under-resourced communities to develop confidence, build strength, and pursue excellence by participating in the competitive sport of rowing, while receiving ancillary academic support. Row NY’s programming includes a year-round intensive youth program for 8th-12th graders, physical education classes for students in District 75 schools, summer camps, and adaptive programs for athletes with physical and cognitive disabilities. Row NY currently rows out of two NYC Parks locations: the World’s Fair Boathouse on Meadow Lake in Flushing Meadows Corona Park, Queens; and the Peter Jay Sharp Boathouse (PJSB) at Sherman Creek Park on the Harlem River in Inwood. Row NY has remained in excellent standing with NYC Parks and has had an impeccable safety record.

Row NY has operated PJSB at Sherman Creek Park since 2012 (through a sub-license with the New York Restoration Project, who operates and maintains sections of Sherman Creek Park via a license agreement with NYC Parks), offering year-round rowing and academic instruction to 120 middle and high school students,

two-thirds of whom reside in nearby communities. Row NY recruits 70% of its student-athletes from under-resourced schools in the local community, many of which offer only limited athletic opportunities. Approximately 64% of their students come from families with household incomes below \$50,000 and 82% of their students identify as people of color. All of these student-athletes participate in the year-round program for free. The organization charges a participation fee for the remaining 30% of the student-athletes who add to the socio-economic diversity of the program and help ensure its sustainability.

In the youth rowing programs, Row NY's middle school student-athletes row two times a week and high school student-athletes row five times a week. All student-athletes receive instruction and coaching in water safety, rowing basics, swim lessons, and competitive racing. In support of the primary rowing programs, student-athletes also participate one to three afternoons a week in academic sessions. Geared toward improving academic performance and college readiness, these sessions include, among other things, SAT and high school test preparation, small group tutoring, assistance with college and financial aid applications, and college field trips.

Through the Agreement, Row NY will construct and operate an approximately 18,000-square-foot community boathouse to replace and expand the existing space at PJSB. PJSB's location on water subjects it to continuous stress from currents, tidal fluctuations, and large boat wakes, which has impacted the structural integrity of the boathouse. PJSB requires substantial immediate repairs in addition to ongoing repairs and maintenance, the costs of which are unsustainable. Absent construction of a new facility, Row NY would need to suspend operations at Sherman Creek within the next three years.

It is anticipated that the proposed community boathouse would:

- Move Row NY's operations to land, allowing for the safe and sustainable continuation of Row NY's upper Manhattan programming, at a location that is accessible to their students.
- Significantly expand the low-cost and no-cost programs Row NY can offer at the park, more than quintupling the number of youth and adult rowers served, and broadening programming to serve schoolchildren, older adults, people with disabilities, and the broader community.
- Co-locate Row NY's fitness, tutoring, and boat storage uses on one site, reducing the burden on students and parents who now travel across multiple sites, and reducing costs to support increased programming.
- Remediate a currently inaccessible portion of Sherman Creek Park and provide passive park space and seating along the shoreline.

Sherman Creek represents the ideal site for a rowing facility in New York City due to the protected water of the Harlem River, the site's historic and current boathouse use, its accessible location, and the depth of the subject site, which allows for safe and efficient boat maneuvering.

To support its plans, it is anticipated that Row NY will contribute up to \$37 million to the boathouse project, of which \$27 million has already been committed to date by private donors. The Agreement with Row NY will allow the organization to collect fees for a portion of programs offered at the boathouse, the proceeds of which will be used to offset a portion of the costs of providing programming and of operating and maintaining the facility. Proceeds from use of the facility are projected to represent between 15% and 30% of total facility expenses. The balance of annual costs will be funded by Row NY through private fundraising.

Given that Row NY as a non-profit organization has demonstrated a specific commitment to providing free rowing instruction and academic support for underserved youth; that Row NY has a history of providing high-quality programs at Sherman Creek Park that are at risk due to the condition of its current floating boathouse; and that Row NY has offered to source substantial private funds to complete the boathouse, Parks believes that it is in the best interest of the City to enter into the Agreement with Row NY at Sherman Creek Park, rather than to proceed with a competitive solicitation process.

D. PUBLIC HEARING

N/A – Subject award NOT a significant concession]¹

1. Publication & Distribution of Public Hearing Notice

Subject concession is a **Citywide** concession and Agency hereby certifies that a notice containing a summary of the terms and conditions of the proposed concession and stating the time, date and location of the public hearing was published once in the City Record on ___/___/___, which was not less than 15 days prior to the hearing date or a shorter period approved by the CCPO and was given to each affected CB-BP and the Committee Members on ___/___/___, which was not less than 15 days prior to the hearing date. Agency also published a public hearing notice twice in the two newspapers indicated below. A copy of each such notice was sent to each affected CB-BP by ___/___/___.

- _____, a NYC citywide newspaper on ___/___/___ and ___/___/___
- _____, a NYC citywide newspaper on ___/___/___ and ___/___/___

OR

Subject concession is **NOT a Citywide** concession and Agency hereby certifies that a notice containing a summary of the terms and conditions of the proposed concession and stating the time, date and location of the public hearing was published once in the City Record on 05/20/2022, which was not less than 15 days prior to the hearing date or a shorter period approved by the CCPO and was given to each affected CB-BP and the Committee Members on 05/20/2022, which was not less than 15 days prior to the hearing date. Agency additionally published a public hearing notice and summary of the terms and conditions of the proposed agreement in the newspapers indicated below. A copy of each such notice containing a summary of the terms and conditions of the proposed agreement was sent to each affected CB-BP by 05/20/2022.

- Our Town, a NYC local newspaper published in the affected borough(s) on 05/26/2022 and 06/02/2022.
- West Side Spirit, a NYC local newspaper published in the affected borough(s) on 05/26/2022 and 06/02/2022.

2. Public Hearing Date, Exception to Public Hearing Requirement

A Public Hearing was conducted on 06/06/2022.

OR

The Agency certifies that the total annual revenue to the City from the subject concession does _____ not exceed one million dollars and a Public Hearing was not conducted because, pursuant to _____ §1-13(q)(2) of the Concession Rules, the Agency gave notice of the hearing and did not receive _____ any written requests to speak at such hearing or requests from the Committee that the Agency _____ appear at the hearing. Furthermore, the Agency certifies that it published a notice in the City _____ Record canceling such hearing on ___/___/___ and sent a copy of that notice to all Committee _____ Members.
