



L5074 – RFEI for Long term Historic Vessel docking at Hudson River Park’s Piers 25, 26 and 97

Addendum No. 1

November 1, 2019

The terms and conditions of the RFEI shall remain otherwise unchanged except as specifically provided by this Addendum No. 1. The RFEI is amended to update the following:

1. The berths offered through this RFEI for long term docking on the north side of Pier 25 are to be renumbered as N1, N2 and N3 from the earlier N1/N2. Please see the attached updated RFEI for your reference. Pages 5, 9, 18, 33 and 34 are hereby updated.
2. Additional electrical connection information added as per below in Appendix 2-B, page 23 of the RFEI, Description of Utilities. Please see the attached updated RFEI for your reference.

Currently at Pier 25, berths N1 and N2 have a 100-amp hookup and two 50-amp hookups and berth N3 has a 200-amp hookup

REQUEST FOR EXPRESSIONS OF INTEREST



**REQUEST FOR EXPRESSIONS OF INTEREST
FOR
LONG TERM HISTORIC VESSEL DOCKING AT
HUDSON RIVER PARK'S
PIERS 25, 26 AND 97**

RFEI Release Date: September 10, 2019

Submission Deadline: November 14, 2019

RFEI#: L5074

SUMMARY:

Premises:

Pier 25: Two (2) berths on the north side of Pier 25 located in Tribeca at West Street and North Moore Street;

Pier 26: One (1) berth on the south side of Pier 26 in Tribeca between Hubert Street and N. Moore Street; and

Pier 97: One (1) berth at a location to be determined at Pier 97 in Clinton at West 57th Street.

Permitted Uses:

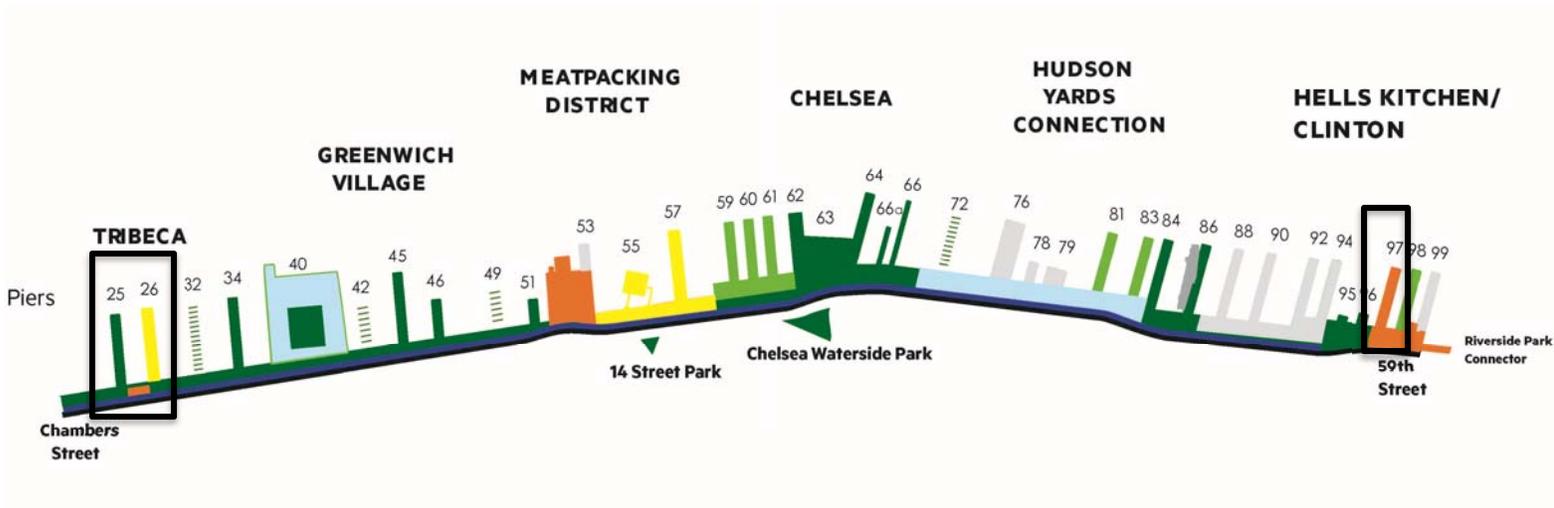
Long term historic vessel docking and programming. Subject to the particular pier location, uses may include educational and cultural programming, museum, sightseeing excursions, food and beverage, and other uses approved by the Trust.

Term:

Initial terms may vary between three (3) and five (5) years; extension options available with the Trust’s approval for a total term not to exceed nine (9) years.

Responses Due:

November 14, 2019



Hudson River Park Map showing location of Piers 25, 26 and 97

I. INTRODUCTION

1. Background:

New York State and New York City have a long and rich maritime history. For many years, areas along the Hudson River on the west side of Manhattan that now comprise Hudson River Park (the “**Park**”) were primarily utilized for the transportation of people and goods. The Hudson River Park Trust (the “**Trust**”) is seeking expressions of interest in the form of proposals from experienced owners and operators (“**Respondents**”) of historic vessels meeting the criteria set forth in Section III of this RFEI (“**Historic Vessels**”) for long term docking and programming. Uses may include educational, cultural, recreational and limited commercial and other ancillary uses as further described in Section II herein, and focus on preserving and enhancing public awareness of the historical maritime importance of the Park.

Hudson River Park is an approximately four-mile-long property comprising piers and an adjacent upland area between the northern edge of Battery Park City and West 59th Street in Manhattan. The Trust has been charged with the Park’s planning, development, operation and maintenance. Both the Park and Trust were created pursuant to the Hudson River Park Act, Chapter 592 of the Laws of 1998, and as subsequently amended (the “**Act**”). Today, the Park includes a dozen completed public park piers, acres of landscaped paths, lawns and gardens, four dedicated non-motorized boat houses, some of the most popular and heavily used athletic fields in New York City, and an estuarine marine sanctuary in the adjoining waters. New Yorkers from all over the city and state, and tourists from all over the world come to enjoy its vistas, use its playgrounds, and enjoy getting in and near the river on kayaks, ferries, sailboats and historic vessels.

The available docking sites include Pier 25 located in Tribeca at N. Moore Street, Pier 26 located in Tribeca between Hubert Street and N. Moore Street and Pier 97 located in Clinton at West 57th Street. With a steady flow of millions of people utilizing the Park’s esplanade and adjacent bike path, these sites are highly visible and accessible locations, providing unparalleled exposure for the selected vessels.

Through this Request for Expressions of Interest (“**RFEI**”), the Trust seeks to solicit proposals that will help the Trust create a diverse portfolio of historic vessel types and programs in order to create enriching and entertaining public experiences for Park patrons. The Trust may elect to select an assorted group of vessels with varied programmatic elements. Both stationary and touring vessels will be considered. In all instances, the selected vessels will be required to provide some free educational/cultural programming.

Pursuant to this RFEI, the Trust may elect to: (1) negotiate and enter into direct agreements with one or more Respondents, (2) issue a subsequent Request for Proposals (“**RFP**”) to a group of Respondents, or (3) cancel this RFEI and pursue an alternative method to achieve the Trust’s objectives with respect to Historic Vessel docking. In the event the Trust selects one or more proposal(s), either directly or through a subsequent RFP or other selection method, the selected Respondent(s) will manage and assume responsibility for the operation of their respective historic vessels in accordance with the terms and conditions set forth in this RFEI and the subsequent location specific concession agreements to be entered into with the Trust

(“**Concession Agreement**”). No leasehold or other property right is offered or shall be created by entering into the Concession Agreement, the terms and conditions for which are further described in the attached Appendix 1- Concession Agreement Terms and Conditions.

The Trust will install and maintain utilities and certain other dockside infrastructure to facilitate the operation of the Historic Vessels.

Below are examples of historic vessels that have docked in the Park



Lilac



Nantucket

2. Term:

The initial term for each pier location will vary between three (3) to five (5) years with possible extensions bringing the total term to up to nine (9) years. Since each pier is at a different stage in development, the commencement dates will vary depending on the completion status of the berth at each pier.

- Pier 25 berths will be available from spring 2020. The commencement date for the Concession Agreements for the Pier 25 berths is expected to be on or about May 1, 2020.
- Pier 26 is currently under construction and is anticipated to open to the public in late 2020. One berth at this pier would be available in spring 2021, though earlier occupancy may be possible.
- Pier 97 is currently in the design phase to be followed by construction and one berth at this pier is anticipated to be available in 2022.

II. PREMISES OFFERED:

Respondents should indicate their interest in operating an historic vessel at berths located at Piers 25, 26 or 97. Respondents may elect to indicate interest in more than one berth, if appropriate, provided they indicate an order of preference. Different berths offer different opportunities and limitations, and the Trust will evaluate the responses based on a combination of each vessel's specifications, berth location specifications, compatibility with the Piers 25, 26 or 97's use programs, and other factors more specifically set forth in this RFEI. The Trust's goal is to best match interested and capable historic vessel operators with available berths.

Location of berths at Piers 25, 26 and 97 (note at Pier 25, two berths out of the three N1, N2 and N3 are offered, the third berth is reserved for a visiting vessel)

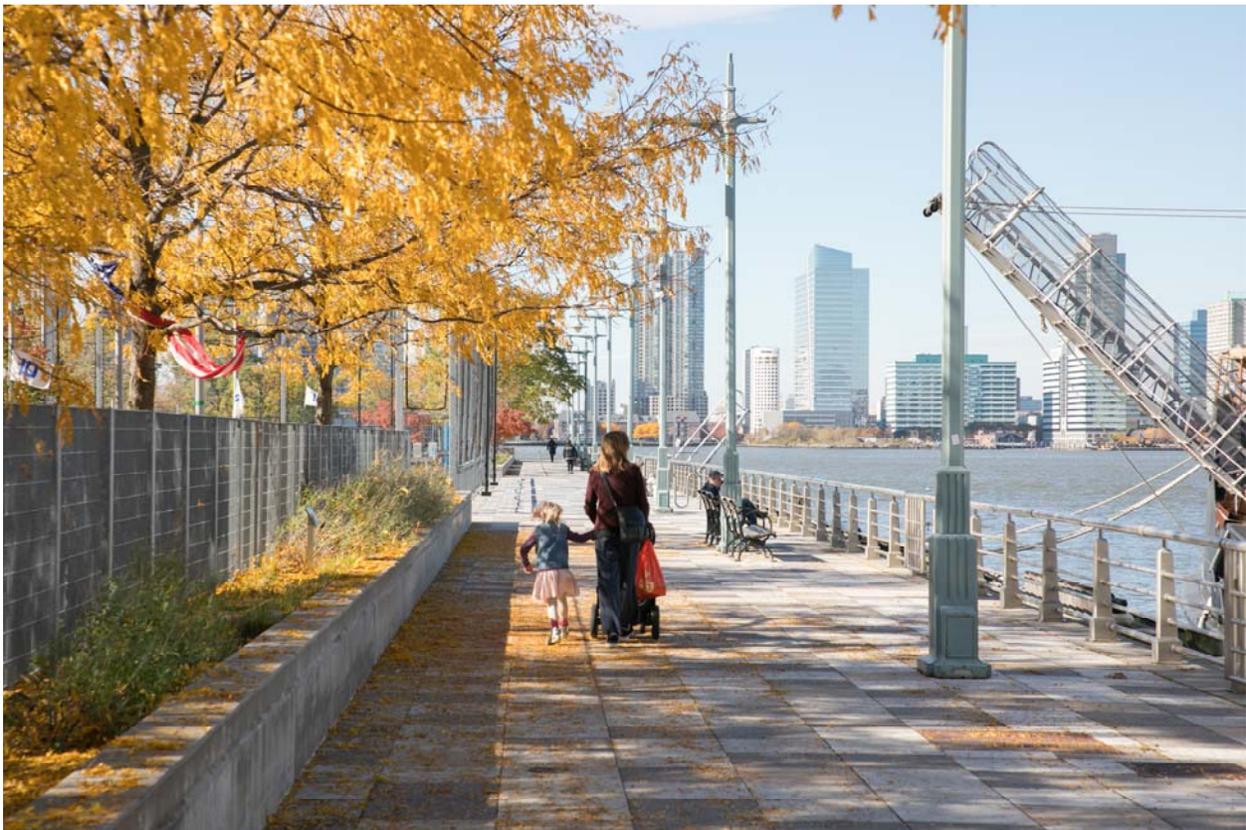


1. Description of Piers

The Trust will outfit all the three piers with utility hookups for water, sewage and electricity. *Please note that water depths around all three piers are generally shallow and that no dredging is permitted.* Vessel owners/operators are solely responsible for assessing whether water depth is appropriate for their vessel at each location. Please refer to [Appendix 2](#) for detailed information of the Premises, including bathymetric surveys for each of the piers. Below is a brief description of each pier:

A. Pier 25:

Located at N. Moore Street in Tribeca, Pier 25 includes a miniature golf course, volleyball courts, a children's playground, a flexible turf play area and sitting areas. On the south side of the pier are a number of water uses, including a town dock, a public mooring field, a water taxi landing and historic vessel with a food concession. The Trust will issue a separate RFP for an operator of the town dock, mooring field and historic vessel with a food concession later in 2019.



View of Pier 25 north side looking west showing the historic vessel berths

Two long-term berths on the north side of the pier will be available beginning Spring 2020 for Historic Vessels. The Trust is reserving a third berth on the north side of the pier, not subject to this RFEI, for visiting historic or other vessels of potential interest to the public.

B. Pier 26:

Pier 26 is located to the immediate north of Pier 25 and is between North Moore Street and Hubert Street. The eastern portion of the pier is in public use and includes the Downtown Boathouse, a popular non-motorized boat program offering free kayaking to the general public, and City Vineyard, a restaurant concession. The balance of the pier is under construction as an ecologically themed pier with a lookout and wetland tidal pool area, a multi-purpose sports field, lawns and seating. The upland area of the pier will be the future home of the Park’s Estuarium – a river research and education center, as well as a science play area. Both the Estuarium and science play area will be completed at a later date.



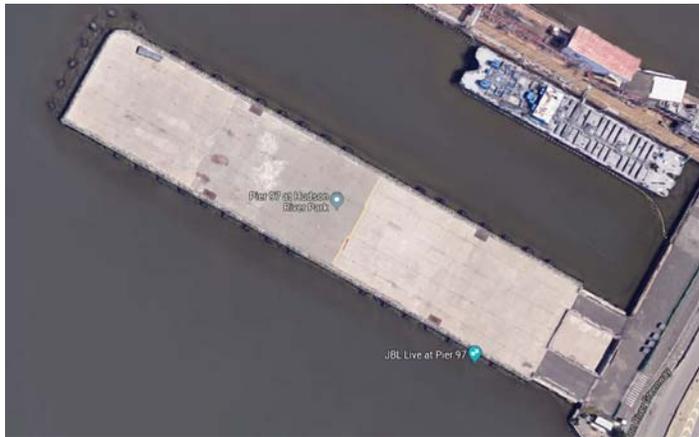
View of Pier 26 south side looking north showing the pier under construction

One historic vessel berth will be available at the south side of the pier. The Trust is reserving a second berth on the south side of Pier 26, not subject to this RFEI, for visiting vessels with a focus on environmental programming and research, consistent with the ecological program for this Park area.

The Pier 26 historic vessel berth will be available beginning no later than spring 2021. If requested by the selected respondent for this location, the Trust will consider allowing the berth to be used in fall 2020 provided that construction is sufficiently complete.

C. Pier 97:

Pier 97 is located opposite West 57th Street and is adjacent to a large completed Park area known as “Clinton Cove” featuring a non-motorized boathouse and wide lawns. It is currently in its design phase, with construction expected to start in 2020 and the pier opening sometime in 2022. Pier 97 is planned to have a playscape area for children, a flexible sports field, an elevated belvedere and sloped sunning lawn, and a large plaza on the western end with provisions for one historic ship berth. A small concession is planned for the upland area.



Aerial views of Pier 97, left showing the Con Edison facility at Pier 98 to the north and the right showing Clinton Cove with the Pier 96 boathouse to the south of Pier 97

Recent bathymetric surveys of Pier 97 indicate that water depth at this pier is particularly shallow, and as noted in Section II-1 above, dredging is not permitted; hence the design includes only one historic vessel berth located on the north side of the pier at its westernmost edge. Refer to the Pier 97 Concept Plan showing the proposed historic vessel location in [Appendix 2](#).

While the northwestern berth offers greater depth than the south side, placement of a historic vessel on the north side cannot restrict operations by Consolidated Edison related to fuel delivery at the adjacent Pier 98. The Trust hopes to work with a historic vessel operator to overcome these limitations. Although Pier 97's construction is not expected to be complete until sometime in 2022, Pier 97 is being offered through this RFEI to provide advance planning through the ongoing Pier 97 design process.

2. Permitted Uses:

Subject to the limitations for each pier, the vessel operators may offer their own programming or may partner with other organizations to offer services and programs that increase or improve the experience for Park visitors. For example, and for illustrative purposes only, a vessel with room for a classroom might make the classroom available for environmental or maritime educational programs. Another vessel might function as a museum, while a third might offer commercial excursion sails.

The Trust will allow a limited amount of commercial activities that are consistent with the requirements of this RFEI and the Act and that complement the existing uses at the piers as well as the overall Park. Respondents proposing to conduct commercial activities will also be asked to demonstrate how their proposed business model will further the Trust's mission of enhancing public awareness of New York harbor's rich maritime history and increase the public's ability to learn about such history. Even if a vessel's primary purpose is commercial, Respondents are still required to have a public engagement component to their program, which may include such activities as lectures, classes, tours, museum exhibits or other components. The Trust will weigh proposed commercial activities against the overall compatibility with the pier's existing uses as

well as the proposal’s likelihood of raising public awareness and knowledge of New York’s maritime history. Vessels should in all instances be proportionate in scale to their surrounding pier context – both design and uses.

The Trust’s requirements for fees or other monetary compensation will be governed by the proposed uses. If a proposal includes primarily commercial activities, the Trust would expect to see a proposed base rent plus percentage rent as part of the submission. The Trust reserves the right to charge reduced fees or no fees at all (except for utilities) if the selected proposal is for entirely free public programming.

Table 1: Summary of Permitted Uses by Pier

Permitted Uses	Berths		
	Pier 25- N1, N2 and N3	Pier 26- S1	Pier 97- N1
1. Educational	X	X	X
2. Cultural	X	X	X
3. Museum	X	X	X
4. Excursions	X		X
5. Food & Beverage			X
6. Limited Catering and Events	<i>The Trust may consider occasional incidental private events, subject to Park programming and the nature of the events, but will not consider any vessels whose primary activities include these uses.</i>		
Availability	Spring 2020	Spring 2021 (earlier occupancy may be considered)	2022

3. Description of Uses:

- A. Educational:** All historic vessels provided with long-term berths in the Park are required to provide some free or low cost educational programming, which may consist of general viewing of the vessel, lectures, interactive classes or workshops on marine culture, ecology, sustainability, etc., during operating hours. Provided some free educational programming is made available, Respondents may also propose fees for other educational activities. Because the Park is busiest on weekends and weekday afternoons and evenings in good weather, the Trust will look favorably at proposals that offer some free or low cost programming during such times.
- B. Cultural:** This includes dance, music or theater performances, or any other programming that showcases the cultural, environmental or maritime culture of New York Harbor. The scale of these performances should be in line with the

vessel's location on the pier and the performance schedule must be coordinated with the Trust and its other Park activities.

- C. Museum:** Public displays showcasing events or people that have influenced the history of the surrounding New York Harbor. These can include pre-scheduled guided group tours of the vessel including school groups. Viewing of exhibits provided by the vessel and others featuring artifacts of maritime history, documentation of life aboard the vessel and reference to historic events that the vessel might be part of.
- D. Excursions:** Excursion or day trips that offer sightseeing tours of the New York Harbor. There should also be some educational and cultural programming aboard the vessel in conjunction with the excursion use.
- E. Food & Beverage:** Vessels with limited food and beverage concessions proportionate in scale to their surrounding pier context, uniquely at Pier 97. The food concession may sell alcohol as accessory to food sales with the necessary permits and licenses. Free educational and cultural programming must be provided in conjunction with a food and beverage concession.
- F. Limited Catering and Events:** Limited incidental private events aboard the vessel that advance its mission, including but not limited to social events, charity events, fundraisers, or other non-public events. Catering and events may not be a primary use of the vessel. Any such private event will require the prior approval of the Trust and the number and timing of events that can be held during the term will be limited.

III. CRITERIA FOR HISTORIC VESSELS

To be considered under this RFEI, vessels must be either on the New York State or National Register of Historic Places or, in the judgment of the Trust, eligible for such listing, or otherwise meet the criteria below.

Vessels are eligible for listing on the New York State or National Register of Historic Places if they are more than 50 years old and:

- are associated with events that have made a significant contribution to the broad patterns of our history; or
- are associated with the lives of persons significant in our past; or
- embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components lack individual distinction; or
- yield, or are likely to yield, information important in prehistory or history (for additional information on these requirements, see the National Register Bulletin 20, 1992).

In assessing applications, the Trust will give preference to Historic Vessels that demonstrate a strong tie to New York City or New York Harbor/Hudson River maritime history and offer substantial public access and strong educational programming in furtherance of the Park's public access and educational goals:

- historic significance of the vessel, and degree of historic integrity it possesses (quality replicas of worthy vessels could be considered historic);
- the size and condition of the vessel, as determined by a competent surveyor, as well as the possible visual and/or aesthetic impacts created by the vessel;
- the operational and maintenance needs of the vessel;
- the environment in which the vessel is to be located, and the projected effect of that vessel on the environment;
- intended use of the vessel and the projected effect of that use on the historic integrity of the vessel; and
- availability of suitable materials, equipment, technology, and competent personnel to successfully carry out the project.

The vessel's condition must be such to withstand regular and storm related tide, wake, and wave conditions typically experienced within the Park before the Trust will accept the vessel for permanent docking. The nature and extent of any required restoration will be carefully evaluated, as more extensive restoration may not be possible while the vessel is docked within the Park given the Park's sanctuary status and other applicable environmental restrictions on the Hudson River.

All applicants for permanent docking within the Park must provide the Trust with a Financial Plan and proof of ownership that demonstrate the financial stability, commitment, and capability to successfully operate and maintain the vessel for the length of the occupancy within the Park in accordance with applicable Park requirements and restrictions.

IV. SUBMISSION REQUIREMENTS AND DEADLINES

- A. Proposal Contents.** Interested Respondents must submit proposal in the form and with the information required in Appendix 3. Required information includes the following:
1. Owner/Operator information
 2. Financials (*Please note that all financial information, other than that submitted by public companies, will be treated as confidential and proprietary by the Trust subject to the standards specified in the Freedom of Information Law, Article 6 of the Public Officers Law of the State of New York.*)
 3. References
 4. Vessel information, including dimensions and specifications;
 5. Historic significance and registry information;

6. Proposed programming, including any improvements, restoration and maintenance required for successful implementation of proposed programming;
7. Berth preference; and
8. Fee proposal.

B. Evaluation Criteria.

Proposals will be evaluated in accordance with the following criteria, as applicable, by a Trust selection committee. The Trust will only consider proposals that meet satisfactory levels of the evaluation criteria. Those Respondents will be selected whose submissions are determined by the selection committee to be the best overall based on the below stated criteria.

1. Conformity with the Park's Criteria for Historic Vessels, see Section III.
2. Planned operations and maintenance, including vessel condition and restoration needs;
3. Extent to which the proposal will enhance the public's experience at Pier 25, 26 or 97, including providing diverse historic maritime experiences for Park patrons, and complementing existing pier uses, aesthetics and atmosphere;
4. Quality, consistency and community benefit of proposed maritime, environmental, educational and/or recreational programming, and if applicable, respondent's commercial offerings;
5. Organizational capacity and experience, including ability to deliver proposed programmatic elements in a timely and professional manner, and any experience as a City or State tenant, if applicable;
6. Financial capacity; and where fee proposals are submitted, the amount of the proposed base and percentage fee will also be considered.

The Trust shall be the sole judge of whether a proposal conforms to the requirements of this RFEI and of the merits and acceptability of the individual proposals.

Notwithstanding anything to the contrary contained herein, the Trust reserves the right to amend, modify, withdraw or waive any requirements of this RFEI; require supplemental statements and information from any Respondents to this RFEI; select as many or as few or none of the Respondents as the Trust may deem appropriate for direct Concession Agreement(s), or as a group to whom a subsequent RFP would be issued; negotiate the uses and programming of the vessels; discuss infrastructure or insurance requirements with multiple Respondents; and take any other action that the Trust deems necessary to implement its historic vessel program. The Trust may exercise any such rights at any time, without notice to any respondent or other parties and without liability to any respondent or other parties for their costs, expenses or other obligations incurred in the preparation of a proposal or otherwise, including fees associated with real estate brokers retained by the respondent. All proposals become the property of the Trust.

C. Dates and Deadlines.

1. **Questions Regarding RFEI:**
 - i. **Questions Due:** October 10 at 5:00pm

- ii. **Permitted Method:** In writing to the Mailing Address below or the Project Email (HistoricVessels@hrpt.ny.gov)
 - iii. **Response Date:** October 24, 2019. Answers to questions regarding the RFEI and any technical addenda issued in connection with the RFEI will be made available on the Trust's website at: <http://www.hudsonriverpark.org/about-us/bids-business-opportunities>. Respondents are solely responsible for monitoring the Trust's website for such postings.
2. **Optional Pre-Proposal Meeting/Site Inspection:** If there is sufficient interest from Respondents, a pre-proposal meetings may be scheduled. Please email at HistoricVessels@hrpt.ny.gov if you are interested to attend such an informational meeting.
3. **Proposal Submission Requirements:**
 - i. **Label:** Proposals must be submitted in a sealed envelope labeled "Proposal for Historic Vessels, RFEI # L5074"
 - ii. **Number of Sets of Proposals to be submitted:** Three (3) hard copies and one (1) electronic copy on USB flash drive or CD.
4. **Submission Deadline:** **November 14, 2019 at 5:00 pm** by hand, express mail or other nationally known overnight courier to:

**Hudson River Park Trust
Pier 40 at 353 West Street, Suite 201
New York, NY 10014
Attn: Rashi Puri, Assistant Vice President of Real Estate and Planning**

If you have a physical disability and cannot mail or deliver your application to the Trust, please contact Nicole Steele at (212) 627-2020 or at HistoricVessels@hrpt.ny.gov at least 48 hours prior to the submission deadline and special arrangements will be made for you.

D. RFEI Terms & Conditions.

1. **Costs.** The Trust shall not be liable for any cost incurred by the Respondent in the preparation of its proposal, including fees associated with real estate brokers retained by the respondent. The Trust is not obligated to pay any costs, expenses, damages or losses incurred by any respondent at any time unless the Trust has expressly agreed to do so in writing.
2. **Disclaimer.** The Trust and its respective officers, directors, agents, members and employees make no representation or warranty and assume no responsibility for the accuracy of the information set forth in this RFEI. Further, the Trust does not warrant or make any representations as to the quality, content, accuracy or completeness of the information, text, graphics, links or any other facet of this RFEI once it has been downloaded or printed from any server, and hereby disclaim any liability for any technical errors or difficulties of any nature that may arise in connection with the Website on which this RFEI is posted, or in connection with any other electronic medium utilized by Respondents or potential Respondents in connection with or otherwise related to the RFEI.

- 3. No publicity.** Recipients of this RFEI shall make no news/press release pertaining to this RFEI or anything contained or referenced herein without the prior written approval of the Trust in its sole discretion. Any news release pertaining to this RFEI may only be made in coordination with the Trust.
- 4. Freedom of Information Law.** All proposals submitted to the Trust in response to this RFEI may be disclosed in accordance with the standards specified in the Freedom of Information Law, Article 6 of the Public Officers Law of the State of New York (“FOIL”). A respondent may provide in writing, at the time of its submission, a detailed description of the specific information contained in its submission which it has determined is a trade secret and which, if disclosed, would substantially harm such entity’s competitive position. This characterization shall not be determinative, but will be considered by the Trust when evaluating the applicability of any exemptions in response to a FOIL request.
- 5. Offer Received.** Submission of a proposal in response to this RFEI shall constitute an offer on the part of the successful respondent to enter into a Concession Agreement with the Trust upon such terms and conditions as shall be more particularly negotiated upon selection, but including, without limitation, the specific terms set forth in Appendix 1, in such form approved by the Trust.

APPENDICES

APPENDIX 1: CONCESSION AGREEMENT TERMS AND CONDITIONS

The Concession Agreement shall contain, among other terms and conditions, certain provisions required by law and by policies of the Trust, including without limitation, terms regarding the following:

1. Advertising and vending is not permitted without the Trust's prior written approval.
2. Concessionaire shall defend, indemnify and save harmless the Trust, the People of the State of New York, the New York State Executive Department, the New York State Office of Parks, Recreation and Historic Preservation, the New York City Region of State Parks, Recreation and Historic Preservation Commission, the Department of Environmental Conservation, the City of New York, the New York City Department of Parks and Recreation, and any such party as the Trust may require, and each of their respective directors, commissioners, officers, agents, employees, successors and assigns ("**Indemnitees**") from and against any and all liabilities, claims, demands, penalties, fines, settlements, damages, costs, expenses and judgments (including reasonable attorneys' fees and expenses) which: (i) arise out of injury to any person, or persons, including death, or any damage to property of any nature, occasioned wholly or in part by any act(s) or omission(s) of Concessionaire, its directors, officers, employees, guests, invitees, contractors, subcontractors, representatives or agents of Concessionaire, that occurs on or in proximity to the Premises, including but not limited to the lands under water or dock or water areas adjacent to the Premises or arise out of or as a result of the Concession Agreement, or (ii) relate to or arise from any and all liens and encumbrances which may be filed or recorded against the Premises or any public improvement lien filed against any funds of the Trust, the State or the City of New York, as a result of actions taken by or on behalf of Concessionaire, its directors, officers, contractors, subcontractors, agents, representatives, employees, guests or invitees.
3. Concessionaire shall not assign, grant use of, license or transfer use of the Concession Agreement without the prior written consent of the Trust.
4. Concessionaire must warrant no conflicts of interest.
5. The parties to the Concession Agreement agree to cooperate fully with any investigation, audit, or inquiry conducted by a State of New York, City of New York and any other governmental body with jurisdiction.
6. In accordance with Article 15 of the Executive Law (also known as the NYS Human Rights Law), Title 8 of the New York City Administrative Code (also known as the NYC Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Concessionaire will not discriminate against any employee or applicant for employment because of actual or perceived age, race, creed, color, national origin, gender identity or expression, sexual orientation, predisposing genetic characteristics; military status, marital status, partnership

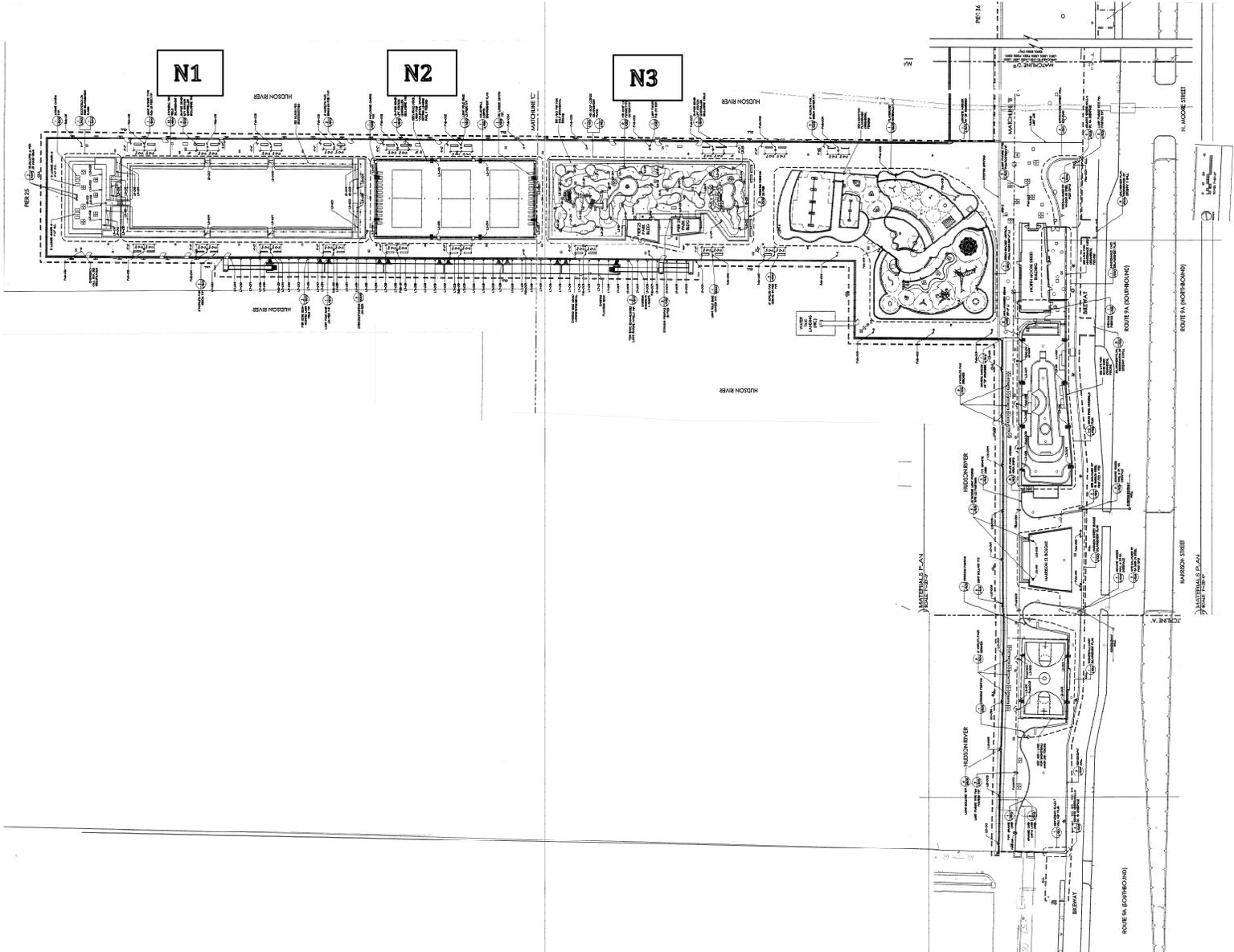
status, domestic violence victim status, or alienage or citizenship status. Neither shall the Concessionaire discriminate in the use of these Premises or any access to these Premises if such Premises are used as a public accommodation or in connection with a public service.

7. Disputes involving the Concession Agreement, including the breach or alleged breach thereof, may not be submitted to binding arbitration but must, instead, be heard in a court of competent jurisdiction of the State of New York.
8. Choice of Law and shall be New York State and venue shall be Federal Courts, located in the City or the New York State Courts located in the City and County of New York; waiver of jury trial.
9. Concessionaire must comply with the Trust insurance limits and requirements for CGL, Excess Liability, Pollution Liability, Liquor Liability, State required insurance and any other insurance that the Trust may requires. Additionally, policies must name the Trust, New York State, New York City and any other interested party as additional insured; must be primary and non-contributing to any insurance or self-insurance maintained by the Trust; and must contain a waiver of subrogation, among other terms and conditions required by the Trust..
10. Concessionaire shall comply with the Trust's Green Initiative which prohibits the distribution and sale of single use plastic bottle(s), straw(s), and stirrer(s); requires the use of green products within Hudson River Park; requires participation in Trust audits and encourages Concessionaire to advocate and educate the public on Hudson River Park's Green Initiative through signage, displays, and other partnering opportunities as brought forth by the Trust
11. Concessionaire shall pay all taxes and impositions applicable to the operation of the Premises.
12. Upon execution of the Concession Agreement, if applicable, the Concessionaire shall deposit with the Trust a certified check for security deposit equal to two month's Concession Fee.

APPENDIX 2. PREMISES

Appendix 2-A. Plans and Images

Pier 25 Detailed Plan showing locations for the two berths offered out of the three berths available.



Pier 25 Photos



*Above, view of a Pier 25 berth from the north
Below, views of pier north railing showing the berths from the west and northwest*



Pier 26 Conceptual Images

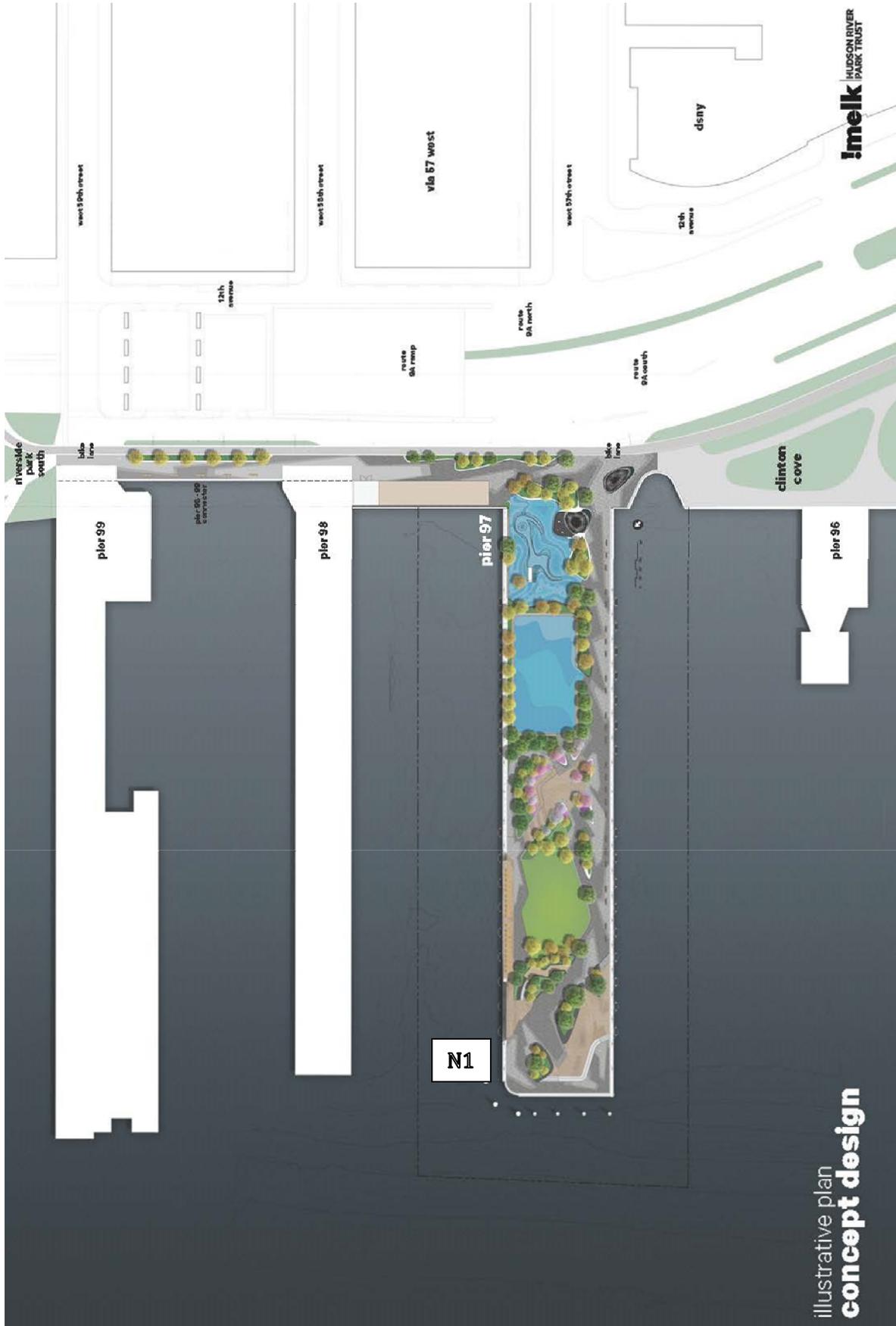


Aerial view of Pier 26 looking southeast and showing location of the berth offered



*Above, view of the deck at the western edge of the pier.
Left, view from the west looking east on to the pier.*

Pier 97 Concept Plan showing location of the berth offered



illustrative plan
concept design

Pier 97 Conceptual Images



View looking north near the western edge of the pier



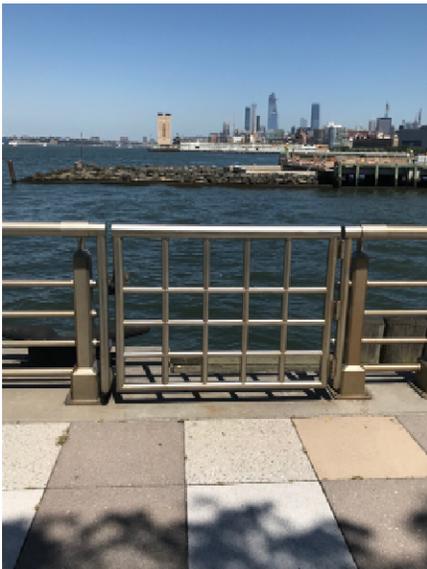
View looking west towards the end of the pier

Appendix 2-B. Description of Utilities

The Premises consist of a total of four berth locations at Piers 25, 26 and 97. Below is a detailed description of the utilities, cleats and bollards, and water depth at the piers.

For all berths: (1) water, sewage and electrical connections are available, including a ¾ inch hose connection for water and a pipe connection to the pier’s sewage pumpout infrastructure; (2) for winterization purposes, water and sewage connections will be disconnected seasonally from mid-November to mid-April; (3) there will be multiple bollards and cleats, and foam-filled Yokohama fenders approximately five feet in diameter; (4) there will be an electrical pedestal with a 100-amp hookup and two 50-amp hookups (vessel operators will be required to use the pier’s dockside electrical infrastructure for their power needs and will be prohibited from using onboard generators while berthed at the pier except in the event of power outages or other extenuating circumstances). Currently at Pier 25, berths N1 and N2 have a 100-amp hookup and two 50-amp hookups and berth N3 has a 200-amp hookup; (5) vessel owners/operators will be responsible, at their sole cost and expense, for installing any required connections between their vessel and the Trust’s dockside utility infrastructure; and (6) vessel owners/operators will be submetered and responsible for paying for water, sewer and electric usage.

Below images show access and utilities to be available at all the berths



Gate for access to berth



Cleat for tying vessel



Electric and water access

Appendix 2-C. Water Depth

Vessel owners/operators are solely responsible for assessing whether water depth is appropriate for their vessel.

A. Pier 25

Generally, depths at the western end of the pier range from 10-15 feet MLLW. The depth can range from 7-10 feet MLLW at the easternmost end of the pier. Refer to the bathymetric study for Pier 25 at the end of this Appendix 2.

B. Pier 26

Generally, depths at the western end of the pier range from 10-12 feet MLLW. The depth can range from 8-10 feet MLLW at the easternmost end of the pier. Refer to the bathymetric study for Pier 26 at the end of this Appendix 2.

C. Pier 97

Generally depths on the north pier edge range from 5-7 feet. The western side of the pier has depths ranging from 10-20 feet MLLW. Water depths on the south pier edge are approximately 4-5 feet so no historic ship infrastructure is proposed at the south edge. Refer to the bathymetric study for Pier 97 at the end of this Appendix 2.

Appendix 2-D. Maintenance and Operations Requirements

- A. **Maintenance.** The selected Respondents shall, at their sole cost and expense, maintain their vessels in good condition, working order and repair, including maintaining all mechanical, electrical, and plumbing systems.
- B. **Security.** Hudson River Park is a public park. Vessel security, equipment and property are the sole responsibility of vessel owner/operators. The Park is not responsible for lost or damaged property.
- C. **Parking, Deliveries and Trash Removal.** There are no provisions for long term parking in the Park for vessel staff, volunteers or visitors and the Trust strongly discourages vehicles for most routine operations. Deliveries to the vessels and trash removal from the vessels are significantly limited. Vehicles may not drive onto the pier area without prior written consent of the Trust. Deliveries should be made early in the morning and garbage should be removed on a nightly basis. Deliveries and removals must be done using hand carts between the vessel and curb-side vehicles.
- D. **Cleaning.** The selected respondent will be responsible for keeping the historic vessel, adjacent pier area, and surrounding docking area clean at all times. Vessel operators will be responsible for maintaining a regular cleaning schedule, which must be submitted to the Trust for its approval. Garbage may not be left anywhere in the Park except in agreed upon disposal and pick-up areas. Vessel operators must make arrangements with a private garbage carting company to remove garbage off-site on a daily basis when in operation, or to remove trash directly in a manner approved by the Trust. There is not any garbage storage space available dockside so Respondents proposing a use which generates trash will need to prepare a plan that contemplates garbage storage onboard until it can be carted for curbside pickup.

Selected Respondents will be asked to prepare a “Green Cleaning” plan for Trust for approval. Toxic cleaning agents are prohibited from use on the premises. Additionally, all cleaning agents that might adversely affect the pier’s finishes are prohibited. Operator must ensure that equipment and cleaning of equipment and fixtures does not leak fluids of any type into/onto the ground or into the Hudson River.

The selected respondent is required to comply with all New York City, New York State and Federal regulations regarding recycling and is responsible for removing and disposing of recyclable products.

- E. **Storage.** Any and all materials and equipment needed for the maintenance and operation of the historic vessel as well as programming must be stored aboard the vessel. No storage is allowed on the pier.
- F. **Hours of Operation.** Hours and days of operation must be submitted in writing and approved by the Trust. The operating hours of the Park are 6 a.m to 1 a.m. It is

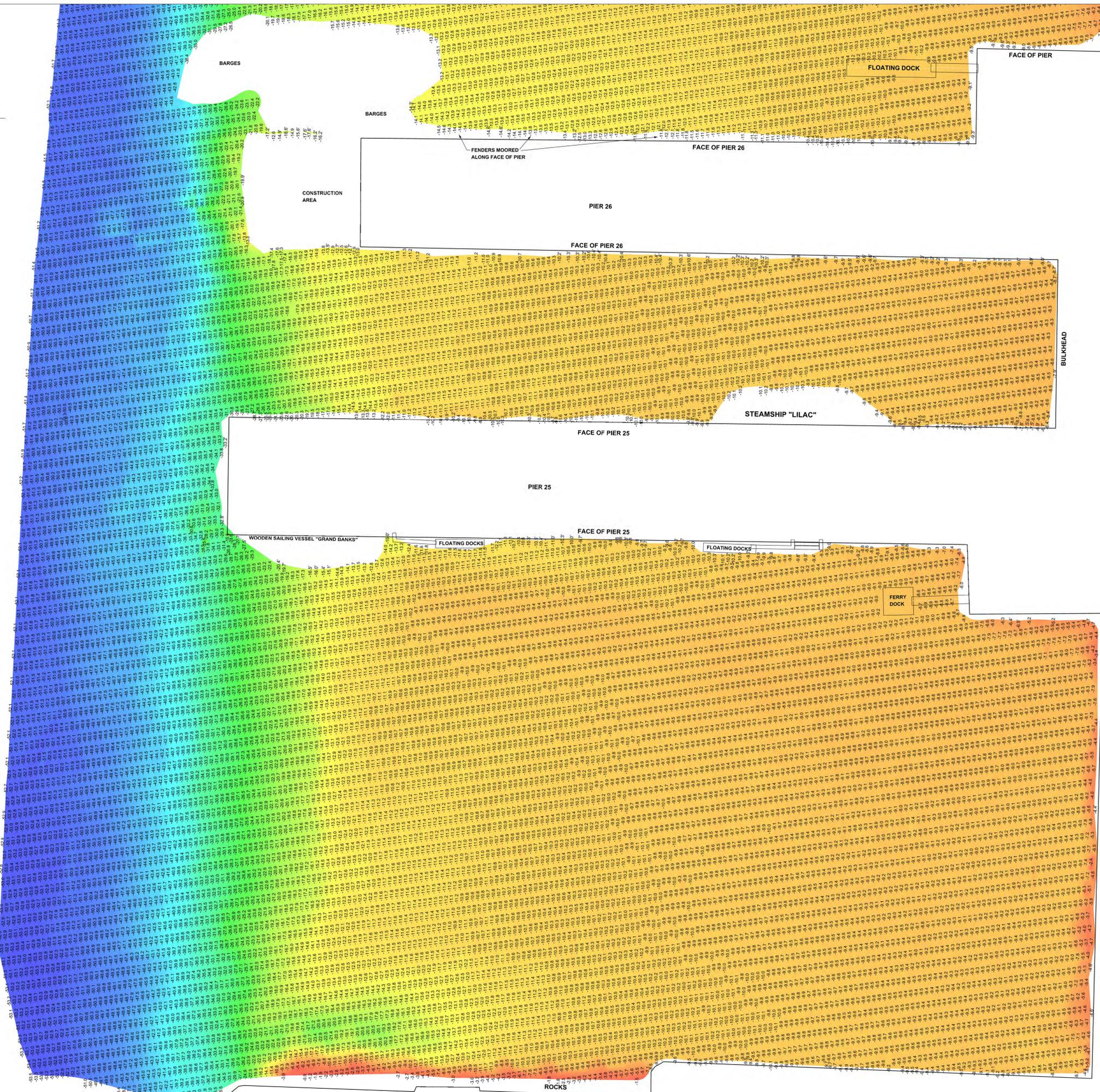
anticipated that historic vessel operations and programming will be seasonal. At a minimum, vessels should be operational between May 1 and October 31, weather permitting. Vessel operators may choose to shut down operations during the off-peak season (November 1 to April 30) due to the limited activity on the waterfront. The Trust will look favorably at proposals that provide for the greatest amount of public access to the vessels.

Appendix 2-E. Bathymetric Studies

HUDSON RIVER



N



- NOTES**
1. DEPTHS ARE IN FEET AND ARE REFERENCED TO THE MEAN LOWER LOW WATER (MLLW) DATUM.
 2. HORIZONTAL CONTROL OF SOUNDINGS WERE BY RTK GPS AND REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM, L.L., NAD 1983 IN FEET.
 3. WATER DEPTH TEXT WERE GENERATED FROM HYDROGRAPHIC SURVEY DATA COLLECTED IN ACCORDANCE WITH US ACEE CLASS 1 STANDARDS.
 4. WATER SURFACE ELEVATIONS WERE COLLECTED USING RTK GPS AND WERE CROSS CHECKED WITH NOAA STATION 8518750 LOCATED AT THE BATTERY.
 5. SHORELINE AND STRUCTURE LOCATIONS ARE APPROXIMATE AND PLOTTED FROM GEO-REFERENCED IMAGERY.
 6. THE INFORMATION PRESENTED ON THIS DRAWING REPRESENTS THE RESULTS OF A HYDROGRAPHIC SURVEY PERFORMED ON 21 MAY 2019 AND CAN ONLY REPRESENT THE CONDITIONS AT THAT TIME.



SCALE IN FEET

HYDRO DATA, Inc.
 P.O. BOX 485
 SOUTHBURY, CT 06488
 (860) 526-4442

PREPARED FOR:	HUDSON RIVER PARK TRUST NEW YORK, NEW YORK
HYDROGRAPHIC SURVEY	
PIER 25 & PIER 26, MANHATTAN	
HUDSON RIVER	
NEW YORK CITY, NEW YORK	
SURVEY DATE:	21 MAY 2019
REVISION:	NB
SCALE:	1"=40'
DWG NO.:	P2526-519B-AW
REV:	0
SHEET:	1 of 1
REV:	0

4. Designated Contact for the Trust: Identify the individual(s) who will serve as the Trust's main contact throughout the review and selection process by name, address, telephone number and e-mail address.

Address:

Phone Number:

Cell Number:

Email:

5. **Financial Information:** Each individual person, and each existing business unit, whether a for-profit corporation, partnership, joint venture, or not-for-profit, who or which will (a) have an ownership interest of five (5%) or more, (b) exercise significant management control, or (c) contribute capital of five (5%) or more, in or to applicant must provide financial information as described below:\

- a. Financials (attach financial statements): Financial statements, including balance sheet and income statement for the most recently completed fiscal year, must be submitted for each corporation (whether for-profit or not-for-profit), partnership, or joint venture entity meeting the criteria set forth above, provided that such corporation or partnership is already established and has completed at least one full year of operation. If a for-profit entity with less than one full year of operation, provide, as applicable: (1) certified statements of net worth for individual owners, principals, members and contributors, and/or (2) financial statements for constituent corporate and partnership owners or control entities with at least one year of operating experience. Not-for-profits with less than one full year of operation should provide financial information such as bank account balances, grant or other receivables, and current and long-term liabilities.
- b. Description of Operating Costs and Cash Flow: In Excel spreadsheet format, describe projected operating costs and cash flow in adequate detail, including all supporting assumptions, to demonstrate current operations and the proposed budget for future operations. The submission must include a full pro forma cash flow statement, showing an estimate of total maintenance and operating costs, sources and uses of all financial contributions, operating revenues, and operating costs and reserves for a 3-5 year permit term.

6. References (at least 3):

- | | |
|----------|---------------|
| 1. Name: | Phone Number: |
| Email: | |
| 2. Name: | Phone Number: |
| Email: | |
| 3. Name: | Phone Number: |
| Email: | |
-

B. Vessel Information:

1. Name of Vessel:
-
2. Year Built:
-
3. Hull ID #:
-

Registration Number: _____ Expiration: _____ State: _____
4. Vessel Length: _____ Beam: _____ Draft: _____
5. Describe Vessel Fendering System: _____

6. Number of Engines: _____ Engine Type (Gas/Diesel): _____
Engine Manufacturer: _____
Tank Capacity: _____ Total HP: _____
Fuel Type: _____

C. Vessel Historic Registry/ Eligibility Information:

1. Historic Significance Designation:
Is the Vessel (check all that apply)
_____ on the State Register of Historic Places?
_____ on the National Register of Historic Places?
_____ eligible for listing on the State or Federal Register?
_____ a Replica?

2. Explain how the vessel is associated with significant historical events or people, has distinctive characteristics of a type, period, or method of construction, etc.

3. How has the vessel retained its integrity respecting location, design, setting, materials, workmanship, feeling, and association?

4. If the vessel is representative of a particular vessel type, is it the best of a type or period or the sole representation? If so, explain.

5. What is the relationship between the vessel and New York City area maritime history?

D. Vessel Maintenance, Operations and Programming:

1. Proposed Improvements: Identify any technical issues or engineering considerations with locating your vessel at a particular pier. Submit a timetable describing proposed work to be done

A. Pier 25:

B. Pier 26:

C. Pier 97:

2. Vessel Restoration Needs: Describe the condition of the vessel and, if in need of restoration, explain in detail the nature, timing and extent of the proposed restoration. Include estimated costs and funding sources. Please provide the vessel's most recent third party inspection report, if available.

3. Public Programming: Describe the proposed public access/programming that would further the Park's public access and maritime, environmental and educational goals. Provide a proposed detailed schedule of hours of operation throughout the year. Provide details as to any admission fees, charges or other expenses related to such programming.

4. Commercial Operations. If proposing commercial operations, please indicate in detail the nature of the operations, operating hours and sample offerings. If proposing food/beverage service for Pier 97, include a sample menu with prices. If offering excursions, include a sample of tours offered and prices.

5. Fee. Respondents should identify and provide estimates for all anticipated revenue sources. If the operation is intended to generate a profit, Respondent should include an annual and monthly rent to the Trust which includes both a base rent and a percentage rent. Please use [Appendix 3-C- Fee Schedule Template](#) to input the proposed fees.

6. Staffing. Provide detail as to the estimated number of employees and/or volunteers you expect to hire or retain in connection with the vessel's maintenance, operations and/or programming activities if selected to be berthed at any of the Piers 25, 26 or 97. Describe the types of duties and anticipated hours involved for such employees and/or volunteers.

No: of Full-time:

No: of Seasonal:

No: of Volunteers:

-
-
-
-
7. Private Events. Describe the proposed number, type and purpose of any anticipated private events, fundraising or other non-public events.

-
-
8. Maintenance Plan. Provide a detailed maintenance plan as an attachment covering all aspects of the vessel and identifying the daily, short-term, and long-term restoration and/or maintenance planned for the vessel and surrounding area. Please include a strategy for managing trash.

9. Berth Preference. Please rank or otherwise indicate your preferences for a specific berthing location and pier, using the form attached as Appendix 3-B.

10. Vessel Access. Please describe whether you will have a need to access vessel outside the normal park hours of 6AM to 1AM. Will you seek to have a vessel shipwatch? If so, please provide details as to the reason for such need and identity of the person(s) who will be designated for the shipwatch and their qualifications (attach a resume for each such person).
-
-
-

11. Insurance. Provide a copy of the vessel's existing Certificate of Insurance.

Appendix 3-B. Berth Location Preference

	<u>Berths</u>				
	<u>Pier 25- N1</u>	<u>Pier 25- N2</u>	<u>Pier 25- N3</u>	<u>Pier 26- S1</u>	<u>Pier 97- N1</u>
<u>Location Preference (1-4)*</u>					
Notes	*Two out of three berths at Pier 25 (N1, N2 and N3) are offered through this RFEI **1 is most preferred and 4 is the least preferred. Please indicate if there is no preference.				

Appendix 3-C. Fee Schedule Template

Pier 25 Berth (N1, N2 or N3)									
Base Fee	Initial Term					Extension Period(s)			
<u>Months</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>
January	--								
February	--								
March	--								
April	--								
May									
June									
July									
August									
September									
October									
November									
December									
Total									
Percentage Fee									
Applicable Percentage									
Applicable Threshold									

Pier 26 Berth										
Base Fee	Initial Term						Extension Period(s)			
Months	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
January	--									
February	--									
March	--									
April	--									
May	--									
June	--									
July	--									
August	--									
September										
October										
November										
December										
Total										
Percentage Fee										
Applicable Percentage										
Applicable Threshold										

Pier 97 Berth									
Base Fee	Initial Term					Extension Period(s)			
Months	2022	2023	2024	2025	2026	2027	2028	2029	2030
January	--								
February	--								
March	--								
April	--								
May									
June									
July									
August									
September									
October									
November									
December									
Total									
Percentage Fee									
Applicable Percentage									
Applicable Threshold									