

Concession Information
 Contracts and Concession Committee of the Parks and Recreation Board
 August 14, 2018

Below is a table that provide information regarding the current contract terms between PARD and the Austin Rowing Club including staff recommendation, Contract and Concession Committee’s recommendation as of July 10, 2018. The committee has requested to revisit the July 10, 2018 committee recommendations at their August 14, 2018 committee meeting.

Components	Current Contract Terms	Staff Recommendation	CCC Rec. on July 10, 2018	Revised CCC Rec.
Term	3/1/2012 – 2/28/2017 Extended for 2 additional yrs. expiring 2/29/2019	4 Years with no extensions	2 years with a 2- year renewal option	
Revenue Sharing	<ul style="list-style-type: none"> • 3% of the first \$300K • 10.5% of next \$900K • 15% of the remainder of commercial gross revenue (CGR excludes grants, donations, memberships) 	<ul style="list-style-type: none"> • \$1,000 monthly fee plus • 1% of annual gross revenue less than \$80K and 8% of gross revenue above \$80K which is an annual lump sum payment 	✓	
Expansion of existing footprint	Premises delineated in Exhibit 1 and accepted	No expansion permitted of the existing footprint	✓	
Youth Programming	\$40K of programming per year for underserved youth	✓	✓	

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Components	Current Contract Terms	Staff Recommendation	CCC Rec.	Revised CCC Rec.
Financial Assistance	ARC provide 10% of the value of Rowing Revenue per year to be dedicated to financial assistance for ARC memberships, ARC lessons, or ARC camps.	ARC provide at least 10% of the value of Rowing Revenue per year to be dedicated to financial assistance for ARC memberships, ARC lessons, or ARC camps.	Increase 10% to 15%	
Relocation Clause	“Upon termination of this agreement, the City agrees to work in good faith to identify and make available alternative locations on Ladybird Lake for ARC to operate its programs.”	Remove relocation clause	√	
New contract or amendment		Staff recommends a new contract that is consistent with the terms and conditions of the current concessionaire agreements.	√ * Amendment per latest Legal opinion	
Maintenance	City is responsible at its sole expense for all repairs to facility. ARC makes all regular and ordinary non-structural building maintenance and repairs including but not limited to: painting, wall paper, tile, flooring, electrical, plumbing, and window glass replacement. City reimburses ARC for any repairs extending \$5K.	Concessionaire is responsible for: <ul style="list-style-type: none"> • All equipment and personnel necessary to operate. • A proactive preventive maintenance program. • Ordinary nonstructural building maintenance repairs. • Repair and replacement of gangway and all docks. • Annual Operations and Maintenance Reports. 	√	

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Maintenance	ARC will establish a Capital Account beginning in Year 4 after the termination of the Start-Up Period for deposits of 1.5% of the annual Commercial Gross Revenue deposited into a management/operator account. <i>FYI- Currently the account has \$79,739. The account should have \$117,572 allocated for maintenance. This is short by \$37,833.</i>	√	\$120,000 per year	
Utilities	ARC is responsible at its sole cost and expense for all utilities	√	√	
Other Deliverable	N/A	Annual Submission: <ul style="list-style-type: none"> • Integrated Pest and Waste Management Plan • Sustainability Plan • General Safety, Security, and Evacuation Plan • Marketing Plan • Calendar of Events 	√	

Below are two tables that includes additional financial information. Table 1: includes information regarding the Annual Revenue and Payments by concession to the City of Austin. Table 2: includes information regarding Expenditures associated by concession.

TABLE 1

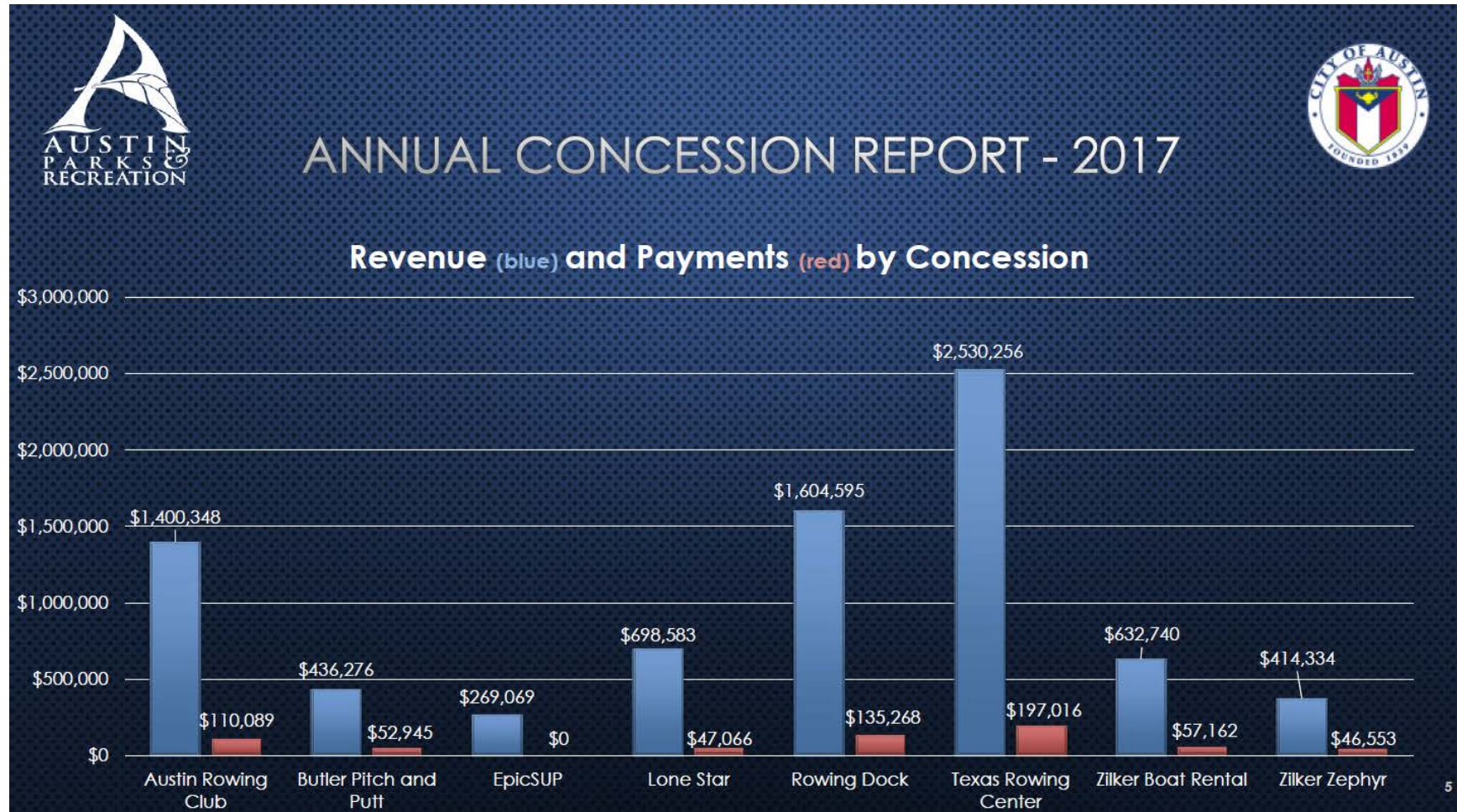


TABLE 2

