# Fair Park Management Agreement Contract

Park and Recreation Board August 2, 2018



Willis Winters
Director, Park and Recreation

Ryan O'Connor Senior Park and Recreation Manager



## **Presentation Overview**

- Purpose
- Background
- Procurement Process and Summary
- Contract Terms Summary
- Fair Park First Board of Directors
- Fair Park First Team Members
- Executive Summary
- Conclusion and Recommendation
- Next Steps



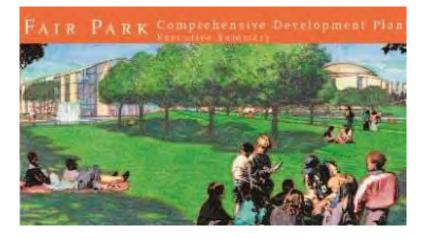
## Purpose

Brief the Park and Recreation Board on the Fair Park
 First contract, which replaces Fair Park's current management and marketing structure with a non-profit board that is representative of the community and has planning and fundraising expertise that will oversee a nationally recognized management company

- 2003 Fair Park Comprehensive Development Plan Goals
  - Create a signature public park
  - Uphold the park's historic legacy
  - Support Fair Park institutions and partners, while activating new programs and uses
  - Encourage economic vitality

Enhance connectivity with the community and the greater Dallas

metroplex



- 2013 Mayor's Fair Park Task Force (MFPTF)
  - Charged with:
    - Examining The Future of Fair Park
    - Capitalizing on the many strengths of Fair Park
    - Enabling Fair Park to reach its full potential
    - Making recommendations that would address longstanding challenges and realize real improvements
  - Recommendations would address:
    - Inadequate funding
    - Green space
    - Lack of cohesive governing and marketing body
    - Misconceptions regarding park safety

- September 3, 2014 MFPTF presented a briefing called "A Park For All People" at a joint session of the City Council and the Park and Recreation Board
- Key Recommendations:
  - Enhance access and connectivity with community and city
  - Establish a community park on south side of Fair Park
  - Empower new non-profit organization as operational and marketing authority for Fair Park
- Recommendations were in line with 2003 Fair Park Comprehensive Development Plan

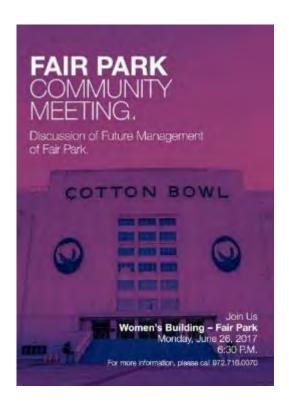
- 2014 and 2015 City conducted 6 public input meetings on Fair Park
- May 7, 2015 Park and Recreation Board adopted a resolution in support of MFPTF recommendations with modifications:
  - Development of a comprehensive land use study and urban design plan for the South Dallas/Fair Park neighborhood
    - Include strong community participation and input
    - Focus on mitigating gentrification in the surrounding neighborhood
  - Preference for below-grade parking
  - The future 501(c)3 board include member(s) representing the surrounding Fair Park community and member(s) with expertise in historic preservation

- August 4, 2016 Park and Recreation Board approved draft Management Agreement with Fair Park Texas Foundation
- August 29, 2016 Park and Recreation and the Fair Park Texas Foundation briefed the City Council on proposed Management Agreement
- September 20, 2016 Second entity expressed interest in submitting proposal
- October 13, 2016
  - City Attorney advised proceeding with competitive procurement process
  - City Council committee recommended standard procurement process for Fair Park management agreement

- October 28, 2016 Office of Procurement Services issued a Request for Qualifications (RFQ), utilizing the following as the guiding principles:
  - The MFPTF Report
  - The MFPTF Key Recommendations, as amended by the Park and Recreation Board Resolution
- Outreach to the vending community
  - Advertised to public in the Dallas Morning News
  - Sent 2,590 emails to the City registered vendors
  - Notified 25 chamber of commerce and advocacy groups in the area
  - Reached out to 14 nationally recognized organizations

- December 30, 2016 City received three responses to the RFQ:
  - In The City For Good, hereafter Fair Park First
  - The Oak Cliff Foundation-Fair Park Redevelopment, hereafter Fair Park Conservancy, Inc.
  - Fair Park Texas Foundation
- February 9, 2017 City deemed all responders qualified
- April 12, 2017 City Council approved service contract with consultant to develop Request for Competitive Sealed Proposals (RFCSP) and review and evaluate the financial submittal

- May 25 June 29, 2017 Consultant meetings to solicit input for RFCSP
  - Mayor
  - City Council Members
  - Park and Recreation Board Members
  - Landmark Commission Members
- June 26, 2017 Consultant held citywide public engagement meeting at Women's Building
- August 14, 2017 Councilman
   Felder held a community engagement meeting at Billy Dade Middle School



# **Proposal Requirements**

- The City and consultant collaborated to develop RFCSP specifications encompassing:
  - Requirement for a non-profit organization to fundraise for Fair Park and provide turn-key management
  - Requirement for effective community relations
  - Requirement to enhance and maintain Fair Park as a City of Dallas landmark district, State Antiquities Landmark, and National Historic Landmark
  - Key elements from MFPTF, as amended by the Park and Recreation Board Resolution

- July 14, 2017 Office of Procurement Services issued the RFCSP to the three qualified vendors
  - Note: Two step process (RFQ/RFCSP) only allows original qualified firms to compete
  - The three qualified vendors asked III questions; City addressed the questions by addendum
  - The City extended the original due date from October 2 to October 16 to allow time for qualified firms to review City's responses
- October 16, 2017 All three qualified vendors submitted proposals
- October 2017 March 2018 Evaluation of three proposals by evaluation committee
  - Interviews
  - Clarifications
- April July 2018 Negotiations

### **Evaluation Process**

- To determine the most advantageous solution, the evaluation committee:
  - Reviewed the proposals
  - Invited each proposer to present additional details of their submission in person
  - Asked each proposer to clarify their pro forma to ensure an accurate mutual understanding of the proposal's financial points

# Procurement Evaluation Criterion

- Financial 32.5 points
- Qualification and Experience 17.5 points
- Project Approach 30 points
- Business Inclusion and Development 20 points

### **Evaluation Team**

- A diverse team of City executives evaluated the proposals; the financial and BID criterion were reviewed and evaluated by the consultant and the Office of Business Diversity, respectively
- Evaluation committee members:
  - Director, Public Works
  - Director, Equipment and Building Services
  - Director, Sustainable Development and Construction
  - Director, Department of Housing & Neighborhood Revitalization
  - Director, Office of Cultural Affairs
  - Director, Planning & Urban Design
  - Assistant Director, Office of Economic Development
  - Assistant Director, Park and Recreation

# 1 Year Financial Comparison

	Fair Park First	Fair Park Conservancy	Fair Park Texas Foundation	Park and Recreation Dept. (FY 17/18)
Operating Expenses	\$11,933,227	\$14,790,000	\$16,906,000	\$14,776,616
Operating Revenue	\$7,443,894	\$3,860,000	\$4,950,000	\$3,304,657
Net City Investment	\$4,489,333	\$10,930,000	\$11,956,000	\$11,471,959

NOTE: Fair Park Conservancy and Fair Park Texas Foundation submitted proposals requiring the City to fund their total estimated operating expenses. Fair Park First will only be compensated on their annual operating loss stated within their pro forma.

City Appropriation	\$4,489,333	\$14,790,000	\$16,906,000
Required by Proposal			

## Ten Year Financial Comparison

	Fair Park First	Fair Park Conservancy	Fair Park Texas Foundation
Operating Expenses	\$133,625,967	\$191,640,000	\$182,951,000
Operating Revenue	\$99,027,057	\$107,460,000	\$79,850,000
Net City investment	\$34,598,909	\$84,180,000	\$103,101,000

NOTE: Fair Park Conservancy and Fair Park Texas Foundation submitted proposals requiring the City to fund their total estimated operating expenses. Fair Park First will only be compensated on their annual operating loss stated within their proforma.

City Appropriation	\$34,598,909	\$191,640,000	\$182,951,000
Required by Proposal			





# **Summary Evaluation**

- The evaluation team assessed each proposal's responsiveness to the published evaluation criteria, tabulated the scores, and ranked the proposals, with the top rank going to the proposal with the highest score
- Fair Park First was deemed the most advantageous proposer with 87.54 points

# **Team Evaluation Summary By Criterion**

Proposer	Financial (32.5)	Qualifications and Experience (17.5)	Project Approach (30)	B.I.D. (20)	Final Score	Rank
Fair Park First	28.10	15.22	24.22	20.00	87.54	1
Fair Park Texas Foundation	24.00	11.78	22.56	20.00	78.34	2
Fair Park Conservancy	21.50	8.13	15.53	20.00	65.16	3



# Fair Park Contract Summary



## Responsibilities of Parties

#### City

- Oversight of Contract (Park Board and City Council)
- Funding Annual Appropriation

#### Fair Park First Board

- Fundraising
- Supervision of Subcontractors
- Community Engagement & Outreach
- Historic Preservation

#### Spectra

- Management and Operations of Fair Park
- Implementation of MWBE Initiatives
- Implementation of capital projects not funded by bond programs

#### Biederman Redevelopment Ventures (BRV)

- Update Fair Park Comprehensive Plan
- Design and Programming of Neighborhood Park



# Responsibilities of Parties (Capital Projects)

#### City

 Manage all capital improvement projects funded by current and future bond programs

#### Fair Park First Board

Take lead in all fundraising efforts for capital improvements

#### Fair Park First/Spectra

- Provide capital planning and prioritization through the 5 year capital plan submitted yearly to City
- Implement all capital improvements funded in any way other than City bond programs

- Contract term of 20 years with two consecutive five years extensions (extensions are City's option) 1.02
- City retains ownership of all buildings, land and other improvements 2.01
- FPF Manager shall assume all duties and responsibilities for the operations and maintenance of Fair Park 1.01a
- Contract includes performance objectives 1.016
  - Creation and maintenance of a neighborhood park
  - Support and enhancement of Fair Park as a national historic landmark
  - Maintenance and enhancement of the various cultural institutions located in Fair Park
  - Maintenance and enhancement of the sporting and recreation venues located in Fair Park

- Annual appropriation paid yearly during first three years and monthly thereafter to FPF Manager to aid funding of expenses at the park including stipends to resident institutions and football games 3.01c
- All revenues will be retained by FPF Manager to fund operations 3.01d
- Any excess revenues will be retained by FPF Manager to either make improvements to Fair Park or accrue in a reserve fund 3.01d
- If annual appropriation, revenues and other funding sources are insufficient to cover expenses, FPF
   Manager can request an additional appropriation from City, but City is not obligated to approve 3.016

- Annual Appropriations: 3.01a
  - Year I \$4,489,333
  - Year 2 \$3,982,397
  - Year 3 \$3,450,871
  - Year 4 \$3,427,078
  - Year 5 \$3,390,526
  - Year 6 \$3,339,902
  - Year 7 \$3,273,770
  - Year 8 \$3,190,561
  - Year 9 \$3,088,563
  - Year 10 \$2,965,906

- City requested a ten year pro forma from proposers; years II-20 will be negotiated between the parties during the I0<sup>th</sup> year based on a newly projected
   Operating Budget for years II – 20
  - If unable to agree, I I<sup>th</sup> year will be calculated on the average of last 3 years
  - I2 20 will be the Annual Appropriation for year II adjusted by CPI
- Amount for years II 20 will be approved by City Council 3.01a (ii)
- FPF Manager will provide a performance bond to the City in the amount of \$4.25M 5.04

- All existing contracts at Fair Park, except for State Fair of Texas and TxDOT Parry Ave parking lot, will be assigned to FPF Manager for management and administration 2.05a
  - FPF Manager will initiate communication with SFOT and TxDOT for contract assignment discussions
  - If State Fair of Texas and TxDOT do not consent to assignment, City will continue to administer contracts 2.05d & e
- FPF Manager shall prepare and submit an annual business plan consisting of an operations and management plan and a 10 year projected budget that will be included in the Annual Report to the Park and Recreation Board 3.01e

- FPF Manager (from Spectra) agrees to fund up to \$1M in transition costs (personnel, technology, equipment, etc.) 4.01
  - If the contract is terminated for any reason, other than termination by the City as a result of a FPF Manager default, City has agreed to repay Spectra the remaining unamortized balance 13.10
- FPF Manager shall be governed by an inclusive and diverse Board of Directors consisting of no fewer than 9 members 4.02
  - One member or 10% of Board membership will consist of a person from and representing the immediate adjacent neighborhood
  - One member or 10% of Board membership will consist of a person from and representing the historic preservation community

- FPF Manager shall submit to the Park Board a Performance Plan to be reviewed 4.03a
  - Plan will include performance indicators related to the performance objectives including: total visitors, total events, net and gross operating revenues, capital improvements funded, private and public donations, compliance with BID Plan
- FPF Manager shall report any significant activities and performance to the Park Board quarterly for first two years of contract 4.03c
  - Beginning in year three FPF Manager will report annually

- If FPF Manager does not meet any performance indicator for two consecutive years, Manager may be required by Park Board or Park Director to engage a consultant to develop and oversee a remediation plan at its own expense 4.03d
  - Remediation plan requires periodic updates to Park Board
  - If FPF Manager is unable to meet all indicators within 10 months following the implementation of remediation plan, City may terminate agreement with 60 days notice

- City will manage capital improvement projects funded from bond programs 6.15b
  - City will coordinate and consult with FPF Manager throughout implementation of bond programs
- FPF Manager will develop capital improvement plan listing all major projects planned or needed over the upcoming five year period that will be reviewed annually with City 6.016
- FPF Manager will be required to seek all necessary governmental approvals to make any additions, renovations, or significant modifications to buildings or public art 6.02

- MWBE Program 4.13, Exhibit 4.13a
  - FPF Manager shall establish a program to utilize local minority businesses in all procurement and contract opportunities and require first tier bidders/vendors/contractors/suppliers to participate
  - Program should utilize minority businesses in and surrounding the Fair Park community as a first priority
  - FPF Manager shall report to the Office of Business Diversity on a quarterly basis the MWBE performance
    - Construction Services 30%
    - Architects and Engineers 25.66%
    - Other Professional Services 36.30%
    - Other Services 23.80%
    - Goods 18%

- MWBE Program Exhibit 4.13a
  - FPF Manager shall establish a recruitment and hiring program to provide employment opportunities for minorities in and surrounding the Fair Park community as a first priority
    - Program shall require all first tier bidders/vendors/contractors/suppliers to participate
    - Program shall promote employment opportunities at all levels including management
    - Program shall require the FPF Manager and first tier firms to report the number of minorities employed on a quarterly basis by categories including management and senior leadership to the Office of Business Diversity

- MWBE Program 4.23
  - FPF Manager shall establish an internship program for local minority students in and surrounding the Fair Park community
    - Program shall require all first tier vendors and contractors to participate
    - Program shall require the FPF Manager and first tier firms to report the number of students in internships on a bi-annual basis
    - Program shall require the FPF Manager to monitor the program and report on the results
  - FPF Manager shall create a program to partner and support local not-for-profit organizations residing in the Fair Park community that advocate and provide services to minorities Exhibit 4.13a

- FPF Manager has agreed to conduct interviews with all existing City staff and may make employment offers 4.11a
  - FPF Manager is not obligated to employ existing staff
  - Currently 72 positions/approx. 50 filled
- Existing City employees will assist with transition for 45 days after contract commencement
- FPF Manager will pay all employees including contract labor a minimum of \$10.94, in accordance with the wage floor in place at the time the contract was signed 4.11b

- FPF Manager is granted the right to contract for naming rights and sponsorships in accordance with the Park Board naming policy and subject to the historic overlay ordinance and requirements of Landmark Commission
- Naming and sponsorships shall be of a first class quality suitable for families and children and shall not promote or relate to tobacco products, sexually oriented businesses or be of a non-commercial nature
- Park Board approval is required for re-naming of any building
- Director approval is required for a sponsorship exceeding 5 years 4.17

- FPF Manager has agreed during the first year of the contract to initiate the update to the Fair Park Comprehensive Plan 6.16
- FPF Manager has agreed that the updated comprehensive plan shall include a new neighborhood/community park as the first project 6.17
- General admittance to the park shall remain free of charge except during the State Fair or any other special event 7.02

- FPF Manager and its subcontractor (Spectra)
   acknowledge that they are subject to the Texas Public
   Information Act (open records) 9.04a
- FPF Manager agrees to conduct public open meetings
  - Exception for a closed meeting following Texas Open Meetings Act (TOMA) rules or for topics related to a proprietary or confidential nature
  - Not subject to TOMA but will conduct open meetings in the interest of transparency
- Request for Competitive Sealed Proposal is attached and made part of contract 1.01c

- At the City's request, Fair Park First will establish two reserve accounts:
  - An operational reserve account, for which the City will provide \$500k in seed money to be delivered after FPF Board adopts a policy for access to the reserves and an investment policy that have been reviewed and approved by City 3.01g (i)
  - A transition reserve account, for use in the event the manager is unable to meet its fundraising targets during the first three years of the agreement, for which the City will provide \$2M to be delivered a policy for access to the reserves and an investment policy that have been reviewed and approved by City 3.01g (ii)

## Fair Park First Board and Team



## Fair Park First Board of Directors

















Bank of America



**Regional Black Contractors** Association

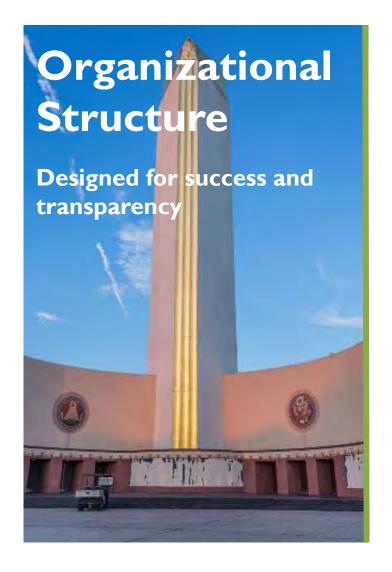


Dan Biederman Biederman **Redevelopment Ventures** 



## **Fair Park First**









## **Fair Park First**



## Goals

**CONNECTING THE COMMUNITY** 

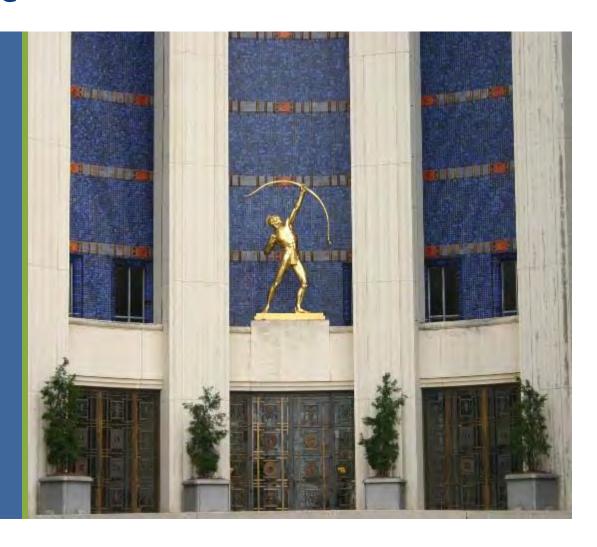
**ACTIVATION OF PARK** 

MASTER PLAN & NEIGHBORHOOD PARK

LEVERAGING EXTERNAL SUPPORT

ENHANCE NATIONAL HISTORIC LANDMARK STATUS

**COMMITMENT TO TRANSPARENCY** 



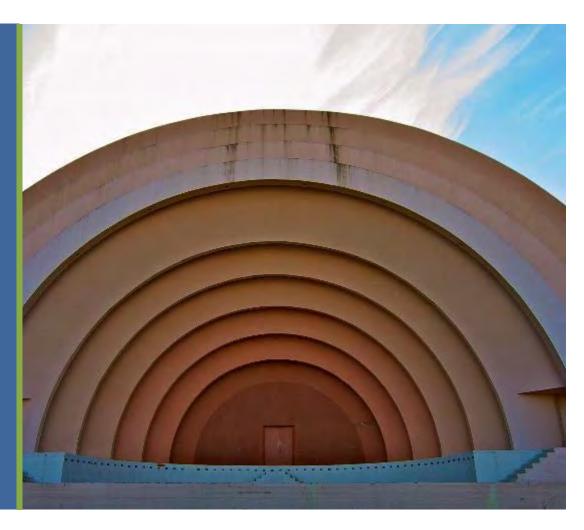


# Board Fundraising Goals

**LED BY FAIR PARK FIRST** 

PROVEN PHILANTHROPIC CITIZENS

\$3M GOAL IN YEAR ONE \$30M GOAL IN FIRST 10 YEARS





# M/WBE Commitment &

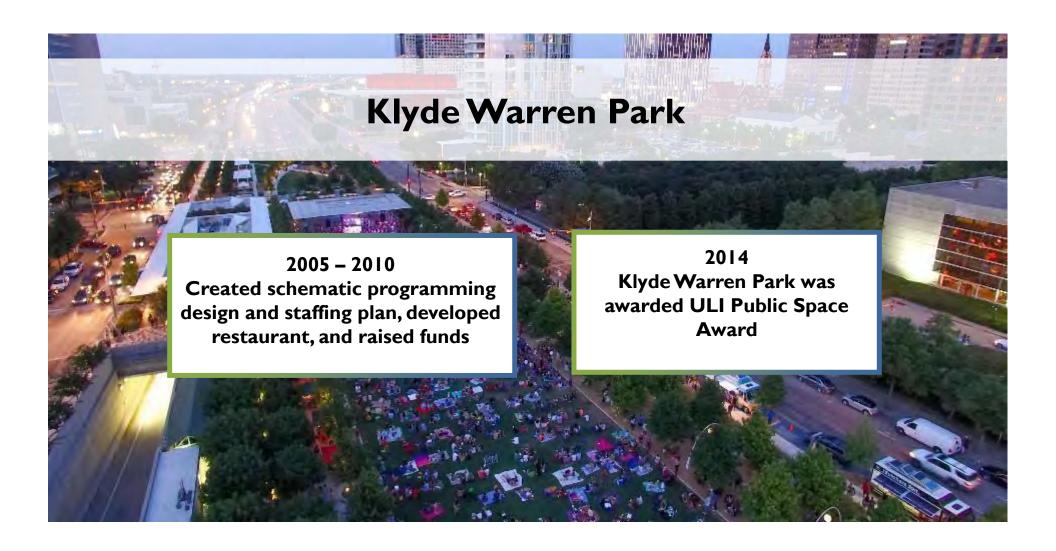


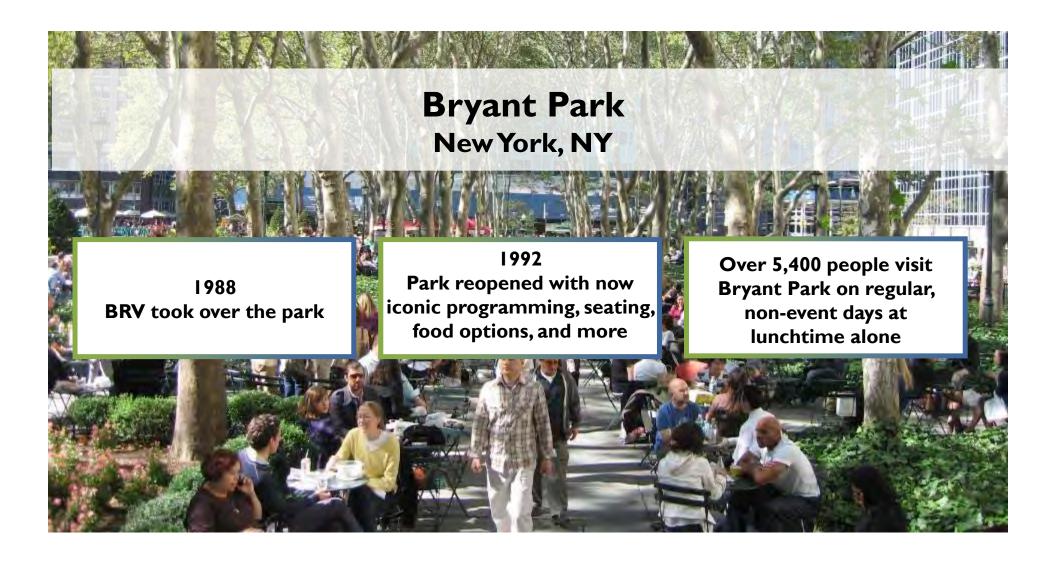












### **Update Comprehensive Plan**

Develop Program Plan

**Design Process** 

Public Meetings

Focus on Neighborhood Park

Starting Immediately & Completed within Two Years





### **Approach For Fair Park**

- Create a regional destination by developing attractions and amenities found nowhere else in the Metroplex
- Showcase Fair Park cultural attractions and tenants in the outdoor spaces; strategically program buildings with tenants who can take advantage of the opportunity
- Integrate daily programming into the Esplanade and a new neighborhood park
- Create world-class gardens and other "dropin" attractions
- Promote perceptions of safety through activation and aesthetic improvements, including parking lots, signage, and lighting park-wide









# Spectra's Goals for Fair Park

Increase Event Activity & Attendance

Sales and Marketing Focus

Operations & Maintenance

Capital Improvement Planning

Holistic Approach

Career Opportunities & Inclusion

Park for the People











**VENUE MANAGEMENT** 



**FOOD SERVICES &** HOSPITALITY



**PARTNERSHIPS** 



40M+

GUESTS HOSTED ANNUALLY

200,000+
EVENTS ANNUALLY











#### **Proven Experience**



California Exposition & State Fair and Papa Murphy's Park



Sacramento, CA

#### **SPECTRA SERVICES**

Venue Management and Food Services & Hospitality Client since 1999

#### **SPECS**

350 Acres; 270,000 square feet Exhibit Space; I I,000-seat Stadium

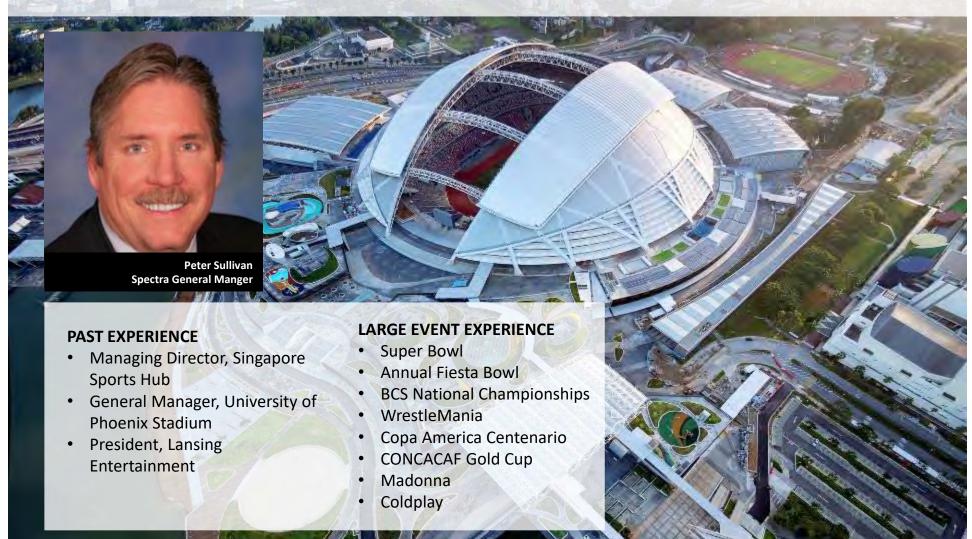
#### **EVENT HIGHLIGHTS**

California State Fair – 800,000 Guests Sacramento Republic FC home matches Global Winter Wonderland – 340,000 Guests





### Spectra's General Manager









#### **Increase Event Activity**

#### **FUTURE EVENTS AT FAIR PARK**











#### **Increase Attendance**

Salakea nach d Marakekteinign & poporaks cho for alla sha sa Fra Pra Park



#### **SPECTRA SUCCESSES**

CROWN COMPLEX FAYETTEVILLE, NC



FORD IDAHO CENTER NAMPA, ID



33%
INCREASE IN TICKET REVENUE IN FIRST 18 MONTHS

250%

ARENA CONCERT
GROWTH IN FIRST 24
MONTHS

### **Operational Excellence**

Corporate Operations Department

New Client Operational Audit & Manual

Computerized Preventative Maintenance Systems

Capital Improvement Planning & Purchasing

Historical Preservation

**Energy Efficiency** 



#### **Transition**

#### **Dedicated Department**

EXPERIENCED SUBJECT
MATTER EXPERTS DEDICATED
TO EACH FACET OF THE
OPERATION

Frinancie w Employees

Opeketingal Audit

Bælreesfits Orientation

HoRcal Meetings

Apple rM to i to en s

And More



PROCESS BEGINS
IMMEDIATELY UPON
APPROVAL

# Career Opportunities

#### **INTERNSHIP PROGRAM**

Collaborate with the Mayor's Summer Internship Program

Collaboration with local Schools, such as James Madison High School and Lincoln High School

#### **CAREER FAIRS**

At Fair Park and at local Universities

**ON-THE-JOB TRAINING** 









# **Event Tenant Relations**

Maintaining Close Working Relationships

Regular meetings with Leadership

Identify potential events to fill space

Food and beverage support

Load-in and load-out



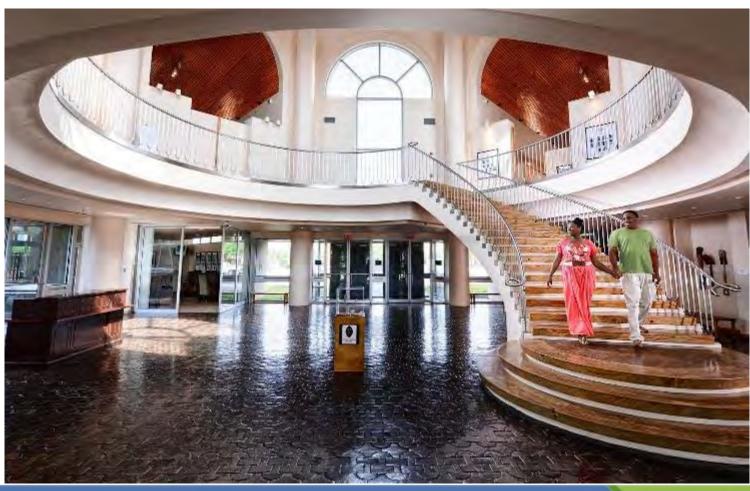


## **Holistic Approach**

#### **Spectra Food Services & Hospitality**







- City underwent a standard procurement process (RFQ/RFCSP) for contract
- Received three responses for both the RFQ and RFCSP
  - Fair Park First
  - Fair Park Texas Foundation
  - Fair Park Conservancy
- Based upon scoring criteria in the RFCSP Fair
   Park First was selected to enter into negotiations
- 20 year contract

- Contract with Fair Park First will provide better value to City
- Fair Park First Board will be able to fundraise and diversify funding sources
- Fair Park First Board of Directors is diverse and representative of the community
- Fair Park First team includes one of the largest event and venue managers in the US and a nationally acclaimed park planner/manager/programmer

- Fair Park First Board is committed to holding open public meetings and responding to open records requests
- Fair Park First Board is committed to implementing an aggressive MWBE program and an intern program that will focus upon providing neighborhood residents job experience at all levels of the organization
- Fair Park First Board is committed to offering job interviews to all existing City of Dallas Fair Park staff
- Fair Park First Board is committed to completing an update to the Fair Park Comprehensive Plan within two years with a heavy focus on the public engagement process and community input from the surrounding neighborhoods

## **Conclusion and Recommendation**

- Contract with Fair Park First brings together a group of entities that have proven national and international experience in managing large and diverse venues, booking events/driving attendance, marketing events and venues, and planning and programming nationally recognized and award winning parks
- Fair Park First Board of Directors is representative of the community, is comprised of recognized community and business leaders, and is committed to the historic preservation of the park, adhering to a robust MWBE program in all facets of the operation, and building a neighborhood park within Fair Park
- Staff recommends that the Park Board recommend approval of the contract by the City Council

## **Next Steps**

- August 9, 2018 Special Called Meeting of the Park Board at Hall of State
  - 5:30pm 8:30pm
- August 16, 2018 Park Board consideration of Management Contract
- August/September 2018 City Council Briefing and consideration

# Fair Park Management Agreement Contract

Park and Recreation Board August 2, 2018



Willis Winters
Director, Park and Recreation

Ryan O'Connor Senior Park and Recreation Manager

