

**Columbus Consolidated Government
Council Meeting Agenda Item**

TO:	Mayor and Councilors
AGENDA SUBJECT:	Anchor Tenants for Concessions & Retail Services/Columbus Civic Center (Annual Contract) – RFP No. 21-0007
INITIATED BY:	Finance Department

It is requested that Council authorize the execution of an annual contract with Columbus Ice Cream Creations, Inc. d/b/a Bruster’s Real Ice Cream (Columbus, GA) to provide concessionaire services for Concession Location E within the Columbus Civic Center. The Contractor (anchor tenant) will pay an annual lease payment for the exclusive use of their Concession Location, including the use and maintenance of the existing equipment.

The anchor tenant will provide food service within their culinary expertise and will fulfill the following requirements:

- A. Provide all necessary equipment and labor to provide concession services at their designated location within the Columbus Civic Center.
- B. Provide state-of-the-art signage and professionally brand the concession location to reflect the identity of the contracted vendor and equip the location to provide the best appearance for concession presentation.
- C. Provide their own POS system.
- D. Implement a mobile ordering process within the first year of the lease.
- E. Operate the food service facilities in a professional and resourceful manner, complying with all public health regulations including a **Grade “A”** sanitation rating to the satisfaction of all authorized Health Department Officials. The following permits are required:
 - 1. Fire Safety Inspection
 - 2. Columbus Water Works - Food Service Industry Water Discharge Permit – Grease Trap Permit
 - 3. Health Department Inspections
 - 4. Health Department Reports (Provide the last four health reports)
 - 5. Certificate of Occupancy issued by Inspections and Codes
 - 6. Health Marshal Slip from the Health Department
- C. Post signage of all articles for sale and the price of each article.

- D. Make available for inspection, upon reasonable prior notice, full and complete records including invoices and payments, of all materials brought to or sold from the premises.

The term of this contract shall be for two years, with an option to renew for three additional twelve-month periods. Contract renewal shall be contingent upon the mutual agreement of the City and the Contractor.

Annual Contract History:

RFP No. 15-0007 for Anchor Tenants for Concession/Columbus Civic Center (Annual Contract) was advertised on July 28, 2014, and six proposals were received on September 12, 2014; one vendor withdrew proposal before the evaluation process. Three (3) contractors were awarded on November 4, 2014, for a term of two (2) years with the option to renew for three (3) additional twelve-month periods per Resolution No. 346-14, with the contract term beginning on July 1, 2015. The contract was extended for one (1) year to allow time for re-advertisement.

RFP Advertisement and Receipt of Proposals:

RFP specifications were posted on the web page of the Purchasing Division, the Georgia Procurement Registry, and on DemandStar on May 27, 2021. This RFP has been advertised, opened, and evaluated. Three (3) proposals were received on June 18, 2021.

The responding vendors were:

Columbus Ice Cream Creations, Inc. d/b/a Bruster’s Real Ice Cream (Columbus, GA)

Advanced Fresh Concepts Franchise Corp. (Rancho Dominguez, CA)¹

Ameket’s Pizzeria (Columbus, GA)²

¹ *Advanced Fresh Concepts Franchise Corp. withdrew their proposal during the Evaluation Phase.*

² *Ameket’s Pizzeria submitted an incomplete proposal.*

The following events took place after receipt of the proposals:

RFP MEETINGS/EVENTS		
Description	Date	Agenda/Action
Pre-Evaluation Meeting	08/23/21	The RFP documents and related addenda, as well as the RFP rules and process, were provided to evaluation committee members to review prior to the virtual meeting. The Purchasing Manager gave an overview of the rules and policies of the evaluation process. The Project Head gave an overview of the needs of the Civic Center for this contract. A date was selected for the 1 st Evaluation Meeting.
1 st Evaluation Meeting	09/07/21	The Purchasing Manager opened the meeting, and each proposal was discussed by the committee. It was determined that clarifications were required from Advanced Fresh Concepts Franchise Corp. It was also determined that agreement was necessary from both vendors for additional specification requirements.

Vendor Letters Sent	09/16/21	Letters were forwarded to vendors.
Vendor Responses Received	09/28/21	Bruster's Real Ice Cream agreed to the additional specification requirements. Advanced Fresh Concepts Franchise Corp. (AFC) withdrew their proposal.
Recommendation Ballots	10/14/21	The Committee was informed that AFC had withdrawn their proposal. Ballots were forwarded to the Voters for a final vote.
Ballot Results	10/22/21	Bruster's Real Ice Cream was unanimously recommended for award.

Evaluation Committee:

Proposals were reviewed by members of the Evaluation Committee, which consisted of one voting member from the Columbus Civic Center, one voting member from Community Reinvestment, and one voting member from Columbus Convention & Visitors Bureau (Visit Columbus).

One representative from Human Resources and one representative from Oxbow Meadows served as alternate voters. One representative from the Civic Center served as a non-voting advisor.

Award Recommendation:

Based on the majority final vote, the Committee recommended award to Bruster's Real Ice Cream.

Vendor Qualifications/Experience:

- Ed Miller owns and actively manages two (2) Bruster's Real Ice Cream locations in Columbus since 2002 and 2004 respectively.
- Ed Miller also owns and actively manages two (2) Wingstop restaurants in Columbus.
- Bruster's Real Ice Cream has been an anchor tenant with the Columbus Civic Center since the first contract was awarded in 2014.

Client Work History:

- AAFES-Ft. Benning (Ft. Benning, GA) – Full-service retail ice cream shop; 2010-2020.
- Columbus Civic Center (Columbus, GA) – Retail concessions; 2015-2021.
- Hoots Baseball (Columbus, GA) – New vendor at baseball stadium.

The City's Procurement Ordinance Article 3-110 (Competitive Sealed Proposals for the procurement of Equipment, Supplies and Professional Services) governs the RFP Process. During the RFP process, there is no formal opening due to the possibility of negotiated components of the proposal. In the event City Council does not approve the recommended offeror, no proposal responses or any negotiated components are made public until after the award of the contract. Therefore, the evaluation results and cost information has been submitted to the City Manager in a separate memo for informational purposes.

The lease revenue will be deposited into the following Revenue Account: Civic Center Fund – Civic Center – Concessions/Catering – Food Service Contract-Civic Center; 0757-160-2800-CONC-4587.

A RESOLUTION

NO. _____

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ANNUAL CONTRACT WITH COLUMBUS ICE CREAM CREATIONS, INC. D/B/A BRUSTER’S REAL ICE CREAM (COLUMBUS, GA) TO PROVIDE CONCESSIONAIRE SERVICES FOR CONCESSION LOCATION E WITHIN THE COLUMBUS CIVIC CENTER. THE CONTRACTOR (ANCHOR TENANT) WILL PAY AN ANNUAL LEASE PAYMENT FOR THE EXCLUSIVE USE OF THEIR CONCESSION LOCATION, INCLUDING THE USE AND MAINTENANCE OF THE EXISING EQUIPMENT.

WHEREAS, an RFP was administered (RFP 21-0007) and proposals were received from three (3) qualified offerors; however, one (1) was incomplete, and one (1) was withdrawn during the evaluation process; and,

WHEREAS, the proposal submitted by Columbus Ice Cream Creations, Inc., d/b/a Bruster’s Real Ice Cream met all proposal requirements and was evaluated responsive to the RFP; and,

WHEREAS, the term of contract shall be for two years, with an option to renew for three additional twelve-month periods. Contract renewal is contingent upon the mutual agreement of the City and the Contractor.

NOW, THEREFORE, THE COUNCIL OF COLUMBUS, GEORGIA, HEREBY RESOLVES AS FOLLOWS:

That the City Manager is hereby authorized to execute an annual contract with Columbus Ice Cream Creations, Inc., d/b/a Bruster’s Real Ice Cream (Columbus, GA) to provide concessionaire services for Concession Location E within the Columbus Civic Center. The Contractor will pay an annual lease payment for the exclusive use of their Concession Location. The lease revenue will be deposited into the following Revenue Account: Civic Center Fund – Civic Center – Concessions/Catering – Food Service Contract-Civic Center; 0757-160-2800-CONC-4587.

Introduced at a regular meeting of the Council of Columbus, Georgia, held the _____ day of _____, 2021 and adopted at said meeting by the affirmative vote of _____ members of said Council.

Councilor Allen voting _____.
Councilor Barnes voting _____.
Councilor Crabb voting _____.
Councilor Davis voting _____.
Councilor Garrett voting _____.
Councilor House voting _____.
Councilor Huff voting _____.
Councilor Thomas voting _____.
Councilor Tucker voting _____.

Councilor Woodson voting _____.

Sandra T. Davis, Clerk of Council

B.H. "Skip" Henderson III, Mayor