



Board Agenda Item 58

DATE: December 4, 2018

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director, Department of Public Works and Planning

SUBJECT: Exclusive License Agreement with Ice Cream Vendors

RECOMMENDED ACTION(S):

1. **Approve and authorize the Chairman to execute a License Agreement with Rjinder Singh, a sole proprietorship, dba Amrit Ice Cream #1, for the exclusive sale of pre-packaged ice cream products at Avocado Lake Park, Winton Park, and Choinumni Campground, effective January 1, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$39,000.**
2. **Approve and authorize the Chairman to execute a License Agreement with Tehal Singh, a sole proprietorship, dba Gold Ice Cream, for the exclusive sale of pre-packaged ice cream products at Kearney Park and Laton-Kingston Park, effective January 1, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$26,500.**
3. **Approve and authorize the Chairman to execute a License Agreement with Balwinder S. Jagdev, a sole proprietorship, dba Nancy Ice Cream, for the exclusive sale of pre-packaged ice cream products at Lost Lake Park, effective January 1, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$13,650.**
4. **Approve and authorize the Chairman to execute a License Agreement with Miguel Avendano-Reyes dba Elados Fruiti Rico, for the exclusive sale of pre-packaged ice cream products at Skaggs Bridge Park, effective January 1, 2019, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$8,000.**

Approval of the recommended actions will grant each of the vendors the exclusive right to sell pre-packaged ice cream at the designated County parks. The vendors were selected following an informal bidding process conducted pursuant to Fresno County Ordinance Title 13 - Roads, Parks, Other Public Places, Chapter 13, section 13.28.020 - Informal bidding procedures. This item pertains to locations in Districts 1, 4 and 5.

ALTERNATIVE ACTION(S):

Your Board may choose not to approve the recommended actions, which would preclude vendors from the exclusive sale of pre-packaged ice cream at the designated County parks.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The four License Agreements will generate \$17,430 each year in revenue and \$87,150 for the five-year term. The License Agreements' maximum annual and term compensation will be as follows:

<u>Park</u>	<u>Vendor</u>	<u>Annual Max</u>	<u>Term Max</u>
Avocado/Winton/Choinumni	Amrit Ice Cream #1	\$7,800	\$39,000
Kearney/Laton-Kingston	Gold Ice Cream	\$5,300	\$26,500
Lost Lake	Nancy Ice Cream	\$2,730	\$13,650
Skaggs Bridge	Elados Fruiti Rico	\$1,600	\$8,000
	TOTAL	\$17,430	\$87,150

All revenue will be posted to Department of Public Works and Planning - Parks and Grounds Org 7910 and used to offset the Parks' expenses.

DISCUSSION:

As a means of generating revenue to support County Parks, Department staff conducted a call for written bids, pursuant to County Ordinance Code, section 13.28.020, during which ice cream vendors bid for the exclusive right to sell pre-packaged ice cream products at designated County parks.

On August 30, 2018, the Department issued 79 notices to interested vendors/prospective bidders via United States First Class Mail advising them of the bid time, date, and location. The interested vendors/prospective bidders list is an updated list that used in previous ice cream vendor solicitations. Approximately three days prior to the bid date of September 12, 2018, a public notice appeared in the Fresno Bee and the Business Journal advising prospective ice cream vendors of an upcoming public call for bids.

The call for bids was held pursuant to County Ordinance Code, section 13.28.020 at 10:30 a.m., Wednesday, September 12, 2018, at the Hall of Records, Board of Supervisors' Chambers.

Several interested vendors attended the public bid process; the two highest bids for each of the parks are listed below:

- **Avocado/Winton/Choinumni:**
1st highest bid: Amrit Ice Cream #1 at \$7,800
2nd highest bid: Singh Ice Cream at \$6,000
- **Kearney:**
1st highest bid: Gold Ice Cream at \$4,200
2nd highest bid: Amrit Ice Cream #1 at \$3,900
- **Laton-Kingston:**
1st highest bid: Gold Ice Cream at \$1,100
2nd highest bid: Nancy Ice Cream at \$1,025
- **Lost Lake:**
1st highest bid: Nancy Ice Cream at \$2,730
2nd highest bid: Amrit Ice Cream #1 at \$2,600
- **Skaggs Bridge:**
1st highest bid: Elados Fruiti Rico at \$1,600
2nd highest bid: Nancy Ice Cream at \$800

The recommended License Agreements grant each of the Licensees the exclusive right to sell pre-packaged ice cream at the designated County parks. The recommended License Agreements require insurance and criminal background checks of each of the Licensees. With your Board's approval of the recommended actions, the four vendors will have the exclusive right to sell pre-packaged ice cream at each of the designated parks.

REFERENCE MATERIAL:

BAI #33, March 19, 2013
BAI #39, March 27, 2012
BAI #42, December 6, 2011
BAI #17, August 11, 2009

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Rjinder Singh dba Amrit Ice Cream #1
On file with Clerk - Agreement with Tehal Singh dba Gold Ice Cream
On file with Clerk - Agreement with Balwinder S. Jagdev dba Nancy Ice Cream
On file with Clerk - Agreement with Miguel Avendano-Reyes dba Elados Fruti Rico

CAO ANALYST:

Sonia M. De La Rosa