

**CITY OF NIAGARA FALLS**  
**NEW YORK**

**TO:** The Council  
**FROM:** Mayor Robert M. Restaino  
**DATE:** June 3, 2021  
**SUBJECT:** RFP #2021-03 Operation of the Hyde Park Ice Pavilion

We respectfully request you authorize the Mayor to enter into an agreement as follows:

**WITH:** Five Jay's Enterprises, Inc.  
87 Marlin Court  
Grand Island, New York 14072

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**FOR:** Operation of the Hyde Park Ice Pavilion

Notice that proposals were to be received was advertised in the Niagara Gazette and requests for proposals were sent to eleven (11) vendors. Two (2) proposals were received, as well as one (1) "No Bid" response.

Five Jay's Enterprises, Inc. ("Five Jay's") is a new organization created specifically for this project. Leading this organization is an experienced local team with over twenty five years of experience in public facility management, much of this time in ice arenas; and twenty years of experience in the creation and management of business plans, operations and turning around distressed properties, primarily in the Food & Beverage Industry. Mindful of the long history of the Hyde Park Ice Pavilion, this vendor is well positioned to move HPIP forward with an innovative marketing plan, strong ties to local youth hockey organizations and the creation of programs and opportunities for engaging youth, by creating partnerships with such groups as the Boys and Girls Clubs and the local corporate community.

Five Jay's will assume management of the Hyde Park Ice Pavilion as an independent contractor and can provide staffing, equipment, amenities, marketing, routine maintenance, repairs and services for the operation and maintenance of the property. They have a sound transition plan, will assume responsibility for completing and paying the usual maintenance and repair costs, and have a viable marketing strategy for increasing revenue. The growth of food & beverage operations at the facility is a key component in marketing this facility as a year round venue for private parties, social events and corporate meetings, especially in the off season.

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The proposed fee schedule to be paid by Five Jay's for the first three years of operation is attached hereto. As you are aware, utility costs at the facility have averaged \$149,760.00 over the last five (5) years. As such, the estimated total to be paid to the City over the three years is approximately \$564,000.00, and could be higher if utilities costs rise during that time.

Based on the recommendation of the scoring committee, it is the recommendation of the Administration that the City retain Five Jay's as an independent contractor and that the City enter into a three (3) year agreement with a mutual extension of up to two (2) years based upon the same terms and conditions stated herein.

Will the Council so approve and authorize the Mayor to execute an agreement, and any other documents necessary to retain Five Jay's Enterprises, Inc. in a form acceptable to the Corporation Counsel?

Respectfully submitted,

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Mayor Robert M. Restaino

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Anthony J. Restaino  
City Administrator

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