

STATE OF NEW YORK

7870

2025-2026 Regular Sessions

IN SENATE

May 12, 2025

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

AN ACT to require the commissioner of the parks and recreation department in New York city to create a formal publicly-available application process for sole-source concession agreements

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Sole-source concession agreements. 1. (a) Within six months
2 of the effective date of this act, the commissioner of parks and recre-
3 ation in the city of New York shall establish a formal publicly-availa-
4 ble application process for sole-source concession agreements and shall
5 receive inquiries to initiate such sole-source concession negotiations.
6 (b) Within 120 days of an application, the city shall respond to any
7 application to detail the parameters of a negotiation or deny the appli-
8 cation with cause that may be appealed.
9 (c) In the initial application response to detail six-month benchmarks
10 along the three-year timeline for various components of the concession
11 agreement to be negotiated.
12 (d) Within three years of the date that a response was provided to a
13 not-for-profit organization, the city shall complete any sole-source
14 concession negotiations.
15 2. Enforcement. (a) If the city fails to respond to an application
16 within 180 days, independent arbitration is authorized to generate a
17 sole-source concession agreement within six months. The city shall
18 adhere to the determination of the arbitrator.
19 (b) If the city fails to generate a sole-source concession agreement
20 within the three-year timeline established pursuant to paragraph (d) of
21 subdivision one of this act, independent arbitration is authorized to
22 generate a sole-source concession agreement within six months post-dead-
23 line.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD11963-01-5

1 (c) The city parks, revenue and community outreach and partnership
2 development divisions shall oversee such sole-source concession agree-
3 ments.

4 (d) The franchise concession review committee shall grant approval of
5 any sole-source concession agreement.

6 3. Insurance. Any sole-source concessionaire which receives an agree-
7 ment with the city shall hold insurance and shall indemnify the city.

8 4. Definitions. For the purposes of this act, the following terms
9 shall have the following meanings:

10 1. "Sole-source concession agreement" means: (a) a document issued to
11 organizations which offer free and fee-based programming including but
12 not limited to museums, nature centers, recreational, educational and
13 environmental programs, urban agriculture initiatives, markets, special
14 events, weddings, restaurants/snack bar/wine;

15 (b) a system which combines features of a not-for-profit license
16 agreement with a concession agreement; and

17 (c) a system which is not a competitive process, however, not-for-pro-
18 fit organizations and the department of parks and recreation shall
19 justify to the franchise and concession review committee (FCRC) why such
20 services of such not-for-profit organization are so unique and valuable
21 to the department of parks and recreation that a different selection
22 procedure may be used.

23 2. "City" means the city of New York.

24 § 2. This act shall take effect immediately.