

**REQUEST FOR PROPOSAL | HDMD / RFP-231006  
Food and Beverage Facility Operator Selection  
at Market Square Park for  
The Houston Downtown Management District**

**New Online Submission and Addendum 01 of the Food and Beverage  
Facility Operator Selection at Market Square Park RFP**

RFP ISSUE DATE: Friday, October 6, 2023

ADDENDUM 01 ISSUE DATE: Friday, October 27, 2023

PROPOSAL DUE: **12:00 P.M., Friday, November 10, 2023**

Responses to additional questions received by the Downtown District per the RFP guidelines are attached and incorporated as Addendum 01.

## **Additional Questions Received By 12:00 P.M. October 25, 2023**

**Q: Can a proposer submit a digital response to the RFP?**

A: Yes, the Downtown District will allow for the digital submission of responses to the RFP at the following email address: [MSPKioskRFP@DowntownDistrict.org](mailto:MSPKioskRFP@DowntownDistrict.org). If you elect to submit a digital copy of your proposal, you should first consolidate the entirety of your proposal into a single PDF file before sending it. Please note that the deadline to receive either hard copy or digital responses to the RFP is Friday, November 10, 2023 at 12:00 p.m. noon.

**Q: Who will assess the proposals and ultimately select the next operator of the Market Square Park (MSP) kiosk?**

A: A committee comprised of interested stakeholders and District staff will assess and evaluate each of the proposals and collaboratively select the next operator of the MSP kiosk.

**Q: How big is the kiosk at Market Square Park (MSP)?**

A: The MSP kiosk occupies approximately 300 square feet of space.

**Q: Can the size and/or footprint of the kiosk facility be increased?**

A: While the Downtown District does not have current plans to expand the size of the MSP Kiosk, the District is open to discussing the possibility of doing so as part of negotiations with a new operator of the facility. Proposers should not let the need for a reasonable amount of additional kiosk space dissuade them from submitting a response.

**Q: Do small or non-traditional operators have a chance in this process?**

A: The Downtown District is fully committed to engaging and receiving the widest possible response from all food and beverage provisioners interested in this extremely unique opportunity. Further, the District strongly believes that some of the best possible proposers currently operate on the perimeter of Houston's wider food and beverage ecosystem. All interested parties are enthusiastically encouraged to respond to this RFP.

**Q: Does a proposal have to include the provision of food?**

A: No, there is no requirement that a proposer must include the provisioning of both food and beverages from the MSP kiosk. However, the provision of both food and beverages is strongly encouraged.

**Q: Will vagrancy be prevented around the kiosk and adjacent seating area?**

A: The Downtown District is committed to working with the successful new operator to help ensure that the kiosk and nearby seating area supports an attractive and quality customer experience. As noted in the RFP, the Downtown District currently assigns a Park attendant and a Public Safety Guide between the

hours of 7:00am and 11:00pm daily to support the Kiosk and overall maintenance of the Park. All that said, proposers should be mindful that Market Square Park is a municipal park and that the public is encouraged and welcome to enjoy its many amenities and attributes.

**Q: Will a proposal with a third-party operator be allowed?**

A: There are no prohibitions against a proposer employing/utilizing a third-party operator of the kiosk. However, proposers should be careful to substantiate why this kind of arrangement is necessary and clearly demonstrate how the proposer will guarantee that the kiosk functions at the highest possible standard at all times.

**Q: When will the successful proposer be able to occupy and operate the MSP kiosk?**

A: The current tenant is expected to vacate the kiosk and associated facilities prior to the end of November 2023. The date for the start of operations for the successful new tenant will be negotiated, but it is the goal of the Downtown District to minimize the amount of time in which there is no proprietor operating the MSP kiosk.

**Q: What is the monthly rent for the kiosk and associated facilities?**

A: There is not a specified rent yet established for the MSP kiosk and associated facilities. Instead, proposers should include a proposed monthly rent for their occupation, management and use of the kiosk and facilities as part of their response to the RFP.

**Q: Why is the current operator leaving?**

A: The ownership of Niko-Niko's shared that they need to focus their efforts, time and resources on the opening of a new, much-larger restaurant in the The Woodlands. Further, Niko-Niko's stressed that after well over a decade of operations the decision to leave Market Square Park was not easy and that they are committed to a positive and smooth transition of the facilities to the next operator.

**Q: Are proposers subject to any of the City of Houston's procurement requirements regarding opportunity equity, minority access and/or pay?**

A: Proposers shall comply with City of Houston Code of Ordinances, Chapter 15, Articles II, V, VI, and XI and the Mayor's Executive Orders No.1-7 Pay or Play (POP) Program for Houston Public Works for the public procurement procedures of the City of Houston Office of Business Opportunity (OBO) established in March 2008 and the entity responsible for the administration of the Minority/ Women-Owned (M/WBE), Persons with Disabilities Enterprises (PDBE), and Hire Houston First programs. The successful Proposer will be required to make good faith efforts to achieve an M/WBE and PDBE participation goal of twenty-five percent (25%).

**END OF QUESTIONS RECEIVED**