

HILLSBOROUGH COUNTY AVIATION AUTHORITY POLICY

800: CONCESSIONS AND REAL ESTATE	Effective: 04/01/82
CONCESSIONS	Revised: 10/09/97
P820: Award of Concession Agreements	09/05/02
	03/04/04
	03/01/07
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PURPOSE: -To establish a policy governing the selection and award of concession agreements. For the purposes of this Policy, “Concession” means a right to operate a business that sells goods and/or services to the public and will include ~~or directly support~~ sources of revenue including, but not limited to: Food & Beverage Services, Retail Merchandise Services, Passenger Services, Duty Free Merchandise Services, Foreign Currency Exchange Services, Common Use Lounges, Display Advertising Services, Baggage Cart Services, Online Products & Services, Hotel – Office Building Complex, Fixed Base Operators, On Airport Rental Cars, Peer to Peer Vehicle Sharing and Ground Transportation Companies, and Off Airport Rental Cars, Airport Limousines, Taxicabs, and Transportation Network Companies, Public Parking Facilities, and Public Shuttle Services.- “Concessionaire” is the operator of a Concession.

LEGAL CONSIDERATION: -Pursuant to Sections 2(9) and 6(2)(n), (p) and (v) of the Hillsborough County Aviation Authority Act, the Authority has the power to grant airport concessions and negotiate and enter into contracts or agreements of any kind necessary with a single operator or multiple operators.

POLICY:- All concession privileges will be awarded ~~based on specific criteria as set forth in~~ accordance with this Policy to ensure consistency in the selection and award of agreements. This Policy will permit the Authority the greatest flexibility over the long term in granting subsequent concession privileges and enable periodic physical changes in concession space which are determined to be necessary as a result of terminal operating or passenger requirements.

GOALS: ~~Each concession agreement will be established to promote the following goals:~~

- ~~• Provide extraordinary customer service, quality, and value;~~

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- ~~Optimize customer satisfaction;~~
- ~~Optimize revenues to the Authority;~~
- ~~Provide prosperity for all stakeholders;~~
- ~~Position Tampa International Airport as a role model that other airports want to emulate;~~
- ~~Create a “Sense of Place” and capture the spirit of the Tampa Bay Area;~~
- ~~Create opportunities for Airport Concessions Disadvantaged Business Enterprises (“ACDBE”) and promote participation by Woman and Minority Owned Business Enterprises (“W/MBE”);~~
- ~~Represent local, regional, national and international concepts and brands; and~~
- ~~Foster competition among Concessionaires consistent with the concession lines of business.~~

In the event of termination for any reason of any concession agreement prior to the expiration of its full term, the Chief Executive Officer (“CEO”) or designee will determine the most desirable course of action in order to continue the operation of such concession privilege and recommend such to the Board for approval.

At appropriate intervals consistent with the expiration of the terms of the agreements, the ~~Chief Executive Officer (“CEO”)~~ or designee ~~Board~~ will ~~reconsider~~ determine the desirability of ~~continuing maintaining the use of such privileges and~~ associated facilities or converting the space to other uses or privileges which may provide a greater public service or a greater revenue generating potential, or both. Any resulting aAgreement will be subject to Board approval. ~~In any event, it is the explicit intention and recognized obligation of the Board that it will maintain the goals of this Policy in awarding any future concession privileges.~~

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A. A. ~~Participation by~~ Airport Concessions Disadvantaged Business Enterprises Policy and Program:

In accordance with 49 CFR Part 23 and/or other applicable U.S. Department of Transportation Regulations~~federal requirements~~, the Authority has adopted an ACDBE Policy and Program (the "ACDBE Plan"), which includes a small business element. Pursuant to the ACDBE Plan, the Authority is committed to a program for participation of small businesses, including ACDBEs, in concession contracting opportunities. ~~The Authority will require that concession related agreements it enters into which are subject to the U.S. Department of Transportation Regulations 49 CFR Part 23 will be structured to ensure ACDBE's have an equal opportunity to participate in concession opportunities at Tampa International Airport.~~

B. Evaluation Criteria:

In those cases where concessions privileges are to be awarded through a competitive selection process (as further described in Section C.2 below) the selection of a Concessionaire will be based upon evaluation criteria that are established and communicated to all prospective Concessionaires before solicitation of responses or bids. The evaluation criteria may include, but are not limited to, the qualifications of the respondent, the respondent's collective experience in operating a business similar to the proposed concession, the respondent's financial condition, the degree to which the respondent is able to conform to the Airport's operating requirements, the annual revenue to the Authority based upon the response or bid, the ability of the respondent to fund and manage the

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concession, the degree to which the respondent's concession business conforms to the Authority's Concession Masterstrategic plan, and the respondent's commitment to -meeting the objectives of the Authority's ACDBE Plan.

C. Methods of Awarding Concession Privileges:

Solicitation methods may include, but are not limited to:

1. Competitive Bids: -Competitive Bidding to specifications will be used for those concessions where it is difficult (or impossible) to differentiate type of service, revenue to be generated, and quality of services or products. In bidding to specifications, the privileges will be awarded to the highest dollar qualified responsible bidder.
2. Competitive Selection Process: -Competitive selection process will be used for those concession privileges where type of service, volume of business to be generated, quality of services or products, and demonstrated capability and depth of management can be clearly differentiated among several respondents. The concession will be awarded based upon a comparative evaluation of each response according to specific evaluation criteria outlined in the solicitation
3. Sole Source: -Direct negotiation with a single Concessionaire will be used in certain limited circumstances where the CEO or designee deems such negotiation to be in the best interests of the Authority. Such negotiations will comply with the Authority's policy on procurement of sole source agreements.

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4. Existing Operator: Negotiation with an existing operator may be used when, upon anticipated expiration of the full term of any agreement or to facilitate development of the Airport, it is determined by the CEO to be in the best interests of the public and the Authority to negotiate a new agreement with the current Concessionaire for continued operation of all or part of the given concession privilege. Any resulting agreement will be subject to Board approval.
5. The CEO is authorized to execute temporary concession agreements with a term not to exceed two (2) years in order to pursue innovation and/or, to test the viability and success of new concession initiatives, ~~and/or promote the goals of this Policy~~.

There is no restriction regarding successive contracts with the same Concessionaire.

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D. General Privilege Fee Basis for Bids and Proposals:

The financial return to the Authority from each concession privilege is to be based on any one or combination of 1) a privilege fee, expressed in terms of percentage(s) of gross receipts, 2) a minimum annual guarantee/privilege fee, expressed as a total amount, 3) as a rate per square foot, 4) as per-trip fees, or 5) any other form of monetary compensation as the CEO may approve.

~~E. Concession Master Plan:~~

~~To ensure that a full range of services are provided, the Vice President of Concessions and Commercial Parking will prepare and periodically update a Concession Master Plan identifying the optimal use for each space within the Airport complex and other Airport assets that will maximize the Authority's concession program goals. The Concession Master Plan will include a space plan, business plan, and a merchandise plan defining specific uses for each space and an overall concession mix that will meet the needs of customers in each area of the Airport complex and other Airport assets.~~

~~The Concession Master Plan will be updated periodically to reflect customer needs and changes in the Airport operating environment. The Concession Master Plan will provide the underlying rationale for each Concession solicitation.~~