



STAFF REPORT **ITEM**

Item # 10.b.

SUBJECT: Bush Tabernacle Workgroup Update and Request for Rescission of Non-Renewal Notice to the Concessionaire (Amie Ware) (pgs. 67-69)

DATE OF MEETING: April 25, 2023

STAFF CONTACT(S): **COUNCIL/LIAISON CONTACTS:**
Ron Rise, Jr., Council Liaison to EDAC
Erin Rayner, Council Liaison to PRAB
Brian Dean, PRAB Designee
Dave Wood, EDAC Designee

STAFF CONTACTS:
Amie Ware, Parks and Recreation Division Manager
Hooper McCann, Director of Administration
Dale Lehnig, Director of Engineering, Planning & Development
Bob Dryden, Facilities Coordinator
Kathy Elgin, Procurement Officer
Marty Kloeden, Contract and Insurance Counsel

SUMMARY and RECOMMENDATIONS:

In February 2023, a Work Group was formed to research and review options for the development of a Request for Proposals (RFP) and ultimately a new contract for the management of the Bush Tabernacle. This Work Group consists of the Town Council liaisons from the Purcellville Parks and Recreation Advisory Board and the Economic Development Advisory Committee, one committee member from each, and members of staff. At the March 28, 2023 Town Council meeting, the Work Group presented a motion to rescind the Non-Renewal Notice given to Shaun Alexander Enterprises, Inc. (SAE) on December 29, 2022 with the intent that the contract to manage the Bush Tabernacle would remain in place until a new contract was awarded. This action would have kept the building open for roller skating and other events in accordance with the terms of the existing contract.

The Work Group's report previously presented to Town Council included a timeline showing that the new contract could be awarded by November 2023 and transition to the new contract would be complete by the end of March, 2024. The winter months are the busiest time of the year for the roller-skating rink. Transition to a new contract is best handled during a slower time so customers receive the best service with as little disruption as possible, and will help ensure that the new contractor is in the best position to succeed. At the March 28, 2023 Town Council meeting, Town Council requested that the Work Group

reconsider the timeline.

The Work Group is committed to securing the best outcome for the future of the Bush Tabernacle and Dillon's Woods properties by seeking out and identifying a vendor that will meet the multi-faceted goals of this project. With that commitment at the forefront, the Work Group reconsidered the timeline presented at the March 28, 2023 meeting and continues to believe that the timeline is the most prudent and will provide the best opportunity for the Town to receive a wider range of proposals that best address the unique aspects of the properties and that best serve Town residents now and long-term.

Three options were shared with the Town Council for the April 11, 2023 meeting:

1. Seek withdrawal of the Non-Renewal Notice and renew the existing Contract until March 31, 2024.
2. Issue an emergency procurement which will most likely be with the current manager to permit the current RFP process to proceed.
3. Do nothing and let the Contract expire on June 30, 2023, continue with the RFP process as planned, leaving the Bush Tabernacle closed until the new contract is awarded and eliminating \$20,000 in rental revenue to the Town.

Since that time, the current Concessionaire, Shaun Alexander Enterprises, Incorporated, through an authorized representative, verbally declined to continue with the current contract beyond the June 30, 2023 termination. The work group held a meeting on April 17 to discuss the two remaining options. Justification for the emergency procurement has been drafted, and the subcontractor, Purcellville Teen Center, Inc., which has been managing the day-to-day operations of the Bush Tabernacle, has agreed to continue managing the building until March 31, 2024 under the terms of the existing contract. This allows the Town staff adequate time to issue a new RFP, potential contractors time to review the opportunity and conduct their due diligence, award and transition to the new contract. Purcellville Teen Center, Inc., has the expertise and staff and owns all of the equipment and furniture necessary to maintain operation and management of the facility during this process.

BACKGROUND:

The goal of the 2023 Historic Bush Tabernacle Work Group is to develop a Request for Proposal (RFP) that will secure an operational manager for the historic building and property that will meet the multi-faceted needs of our town as well as preserve and enhance the community benefit of these valuable properties (Bush Tabernacle and Dillon's Woods). While one of the Work Group's goals is also to create opportunities to provide for increased revenue in connection with the success of these assets, we believe that it is important to communicate our expectation that significant and immediate revenue accrual from this new RFP and vendor selection process will be limited and likely incremental in nature; it will take time to realize increased revenue and operational efficiencies. This is due to several key reasons that we believe it is critically important for Town Council and the community at large understand. These are explained below.

1. The Bush Tabernacle and Dillon Woods properties are, first and foremost, community assets that serve the residents and families of Purcellville as an entertainment venue and public outdoor space in keeping with the spirit of their historic nature and reflecting the values of our small town.
2. The Bush Tabernacle is listed on the National Register of Historic Places and has an easement that limits the ways in which the building may be used. The Work Group and the town leadership will not be able to accept responses to this RFP that will operate the properties outside of their stated purposes. There also are limitations related to alterations of the building structure, such as egress improvements for example. The Work Group recognizes that these limitations will likely limit the number of RFP responses received and the scope of any immediate projected revenue increases.
3. Due to the existing economic headwinds and our researched understanding of the costs and revenue

potential of managing a roller-skating rink and unfinished outdoor recreation space, our expectation is that the concession contractor will be working to address those challenges with the Town as partners for the success of the Bush Tabernacle and Dillon's Woods.

4. Expanding use of the rink, even to recreational uses permitted, impacts the primary purpose of the building which is roller skating. When the building has been closed for other events, customers have reached out displeased that the building wasn't open for roller skating. Any change in use for events and private parties, should be deliberate and with as little disruption to regular skating hours as possible. This is why the Work Group believes that having regularly scheduled events will not only help provide residents with more things to do in town and increase the number of visitors to town, but will help establish a set schedule for those who routinely use the roller-skating facilities.

5. Research conducted by the Work Group yielded very few businesses that manage roller skating rinks that do not also own the building that houses the rink, limiting the pool of potential proposers.

ISSUES:

To avoid closing the Bush Tabernacle on July 1, 2023, action needs to be taken to initiate emergency procurement. Should the building be closed for the amount of time necessary to issue a new RFP and award the contract, the Town will lose \$20,000 in Concession fee revenue, and there will be a negative impact to the citizens and others who use the Tabernacle and roller-skating rink and to the community.

BUDGET IMPACT:

Should the emergency procurement not be authorized, the Bush Tabernacle will need to be closed from July 1, 2023 through November 30, 2023, a loss in revenue of \$20,000.

MOTION(S):

Option 1

I move that staff continue the process for an emergency procurement for a contract term of June 30, 2023 to March 31, 2024, and that the Director of Administration be authorized to execute the Emergency Procurement Determination Memorandum and the resulting Contract.

Option 2

I move that no action be taken which would result in the Bush Tabernacle being closed and all activities ceased until a new contract is awarded which is expected in the November 2023 timeframe.

