



Financial Services  
 Purchasing Division  
 215 N. Mason St. 2<sup>nd</sup> Floor  
 PO Box 580  
 Fort Collins, CO 80522  
 970.221.6775  
 970.221.6707- fax  
 fcgov.com/purchasing

January 9, 2012

Mr. Garry Bjorklund  
 dba: Professor Munchie Concessions  
 5200 Stillwater Creek Ct  
 Fort Collins, CO 80528

**RECEIVED**  
 JAN 20 2012  
 BY: \_\_\_\_\_

RE: Renewal, RFP# 7108 Snack Bar Concessionaire for EPIC & City Park Pool

Dear Mr. Bjorklund:

The City of Fort Collins wishes to extend the agreement term for the above captioned proposal per the existing terms and conditions and the following:

1.) Section 4.2.1 Hours and Days of Operation. Revised as follows:

<b>Concession Hours - EPIC</b>	
Monday, Tuesday, & Wednesday	Closed except for Special Events See below*
Thursday & Friday	3:00 p.m. - 8:00 p.m.
Saturday	9:00am -6:00 p.m.
Sunday	Noon – 5:00p.m.

<b>Concession Hours – City Park Pool</b>	
Regular Season (Monday – Sunday)	11:00 a.m. - 6:00 p.m.
Extended Season (Saturday & Sunday)	11:00 a.m. - 6:00 p.m.

**Operation Days – EPIC**

January 1 thru Memorial Day – OPEN  
 Day after Memorial Day thru September 30– CLOSED (Except for Special Events)  
 October 1 thru December 31 – OPEN

**Operation Days – City Park Pool**

Regular Season Approximately Memorial Day thru Mid-August – OPEN (Daily)  
 Extended Season Approximately Mid-August thru Labor Day - OPEN (Saturday & Sunday ONLY)

2.) Additional of Section 4.9 Sale of Food and Beverage by Teams and Groups.

When the concession at EPIC is closed, it is understood and agreed that fundraising by groups at EPIC is permissible if the City Representative approves request after confirming with the concessionaire that the concession will be closed during the days the outside parties wish to sell their products.

3.) Revision of Section 7.1 Concession Fee to read as follows:

For the privilege of conducting the concessions operation hereunder, and the exclusive use of the concession space, the concessionaire shall pay to the city Three- Thousand-Three-Hundred dollars (\$3,300.00) annually as the concession fee. The fee breaks down as follows:

- > EPIC - (January, February, March, April, May, October, November, December) Three-Hundred dollars (\$300.00) per month. \$-0- during months of June, July, August and September, EPIC concession will be closed.
- > City Park Pool - (June, July, August) Three-Hundred Dollars (\$300.00) per month. Concessionaire will pay a full month's rent the month of August even though the City Park Pool Concession will not be open after Mid-August.

4.) Revised Exhibit D – Equipment Inventory, Page 1 only, per attached.

The Agreement period will be changed from effective March 17 to January 1, and thus the term renewal term will be extended for one (1) additional year, from January 1, 2012 through December 31, 2012.

If the renewal is acceptable to your firm, please sign this letter in the space provided **include a current copy of insurance naming the City as an additional insured** and return all documents to the City of Fort Collins, Purchasing Division, P. O. Box 580, Fort Collins, CO 80522, within the next fifteen days.

If this extension is not agreeable with your firm, we ask that you send us a written notice stating that you do not wish to renew the contract and state the reason for non-renewal.

Please contact David M. Carey, CPPB, Buyer at (970) 416-2191 if you have any questions regarding this matter.

Sincerely,

James B. O'Neill II, CPPO, FNIGP  
Director of Purchasing and Risk Management

  
Signature

1-15-12  
Date

(Please indicate your desire to renew RFP# 7108 by signing this letter and returning it to Purchasing Division within the next fifteen days.)

Rev 02/2010

**EXHIBIT D  
EQUIPMENT INVENTORY  
Page 2 of 2**

**CITY PARK POOL (CPP) CONCESSION SPACE**

City Owned Items		Leased or on Loan Items	
1-True Two door Freezer		2 - Counter Top Refrigerators	Coca-Cola
1-Ice Maker & Bin		1 - Coca-Cola Fountain Dispenser	Coca-Cola
1-Chip Warmer		1 - Two-Door Slider Refrigerator	Coca-Cola
1-Single Door Artic Air Freezer		1 - Slushee Dispenser (2 Flavor)	Jondon Trevino
1-Single Door Artic Air Refrigerator			
1-Hot Dog Roller			
1-Microwave Oven			
2- Gehls Hot Tops			
1-Nacho Chip Dispenser			
1-Popcorn Popper			

*1 ice maker shared by EPIC AND CPP*

*\* HAVE NEVER SEEN THESE REFRIGERATORS*

*\* 1-DISPENSER shared by EPIC AND CPP. Installed by Jondon TREVINO AT CPP by Memorial Day AND Returned to EPIC IN Sept.*

**EXHIBIT D  
EQUIPMENT INVENTORY  
Page 1 of 2**

**EPIC CONCESSION SPACE**

City Owned	Loaned/Leased	
Reach-in Counter Top Refrigerator (relocated to City Park Pool)	Gehl's Cheese dispenser (could not be repaired – replaced by dispenser from CPP) A new unit can be leased from Gehl's for \$100.00	Gehl's Cheese
Ice Maker (removed after breaking down – using ice maker from CPP as replacement)	Coffee Maker There has only been one coffee maker at EPIC	Farmer Brothers
Microwave Oven (removed after breakdown – using microwave from CPP)	Ice Coffee Dispenser (new lease)	Farmer Brothers
Chest type freezer (removed by City)	3- Pretzel Humidified Cases Returned to Vender	J&J Snacks
Ice Merchandiser - ??? <i>IS NOT WORKING - sits in rear of EPIC</i>	Two door refrigerator (replaced with a new unit when the old unit broke down)	Coca Cola
Ice Cream Freezer (removed by City)	Slushie Machine (only use one unit which is switched back and forth between EPIC and CPP)	C&E Beverage
Hot Dog Roller (relocated to CPP – replaced by smaller roller from CPP)		

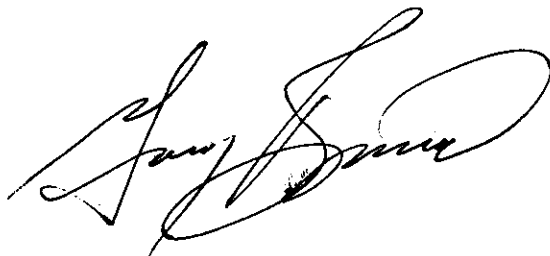
January 15, 2012

David:

I want to give you a side-note about sales performance at EPIC and CPP during 2011. Combined EPIC and CPP sales for the year were \$123,298. Sales at CPP were down more than 20% due to weather. Day to day operating efficiencies at EPIC helped significantly to contain costs while having no negative impact on service.

As for events, this fall sales for swimming and figure skating events were up approximately 10%. Throughout the fall and including the Northern Colorado Youth Hockey tournament, sales from hockey were down approximately 50%. There is no question that I worked too many hours for hockey and worked fewer hours but smarter for the other events. What I am finding is that for multi day events, 90% of my sales are coming from four or five products. For events that run from 6 a.m. to 10 p.m. at least 70% of all sales occur during three or fewer hours of each day. On event weekends, open skating and open swimming usually contribute significantly to food and drink sales. During the week their sales are much less significant.

The reason I am telling you this is because, as of this fall, I have been communicating to event sponsors that breadth and depth of product offerings along with hours of concession service must be flexible and reflect sustaining a profitable concessions operation. Events that have weird early or late hours, low spectator attendance, and/or nominal interest in having a concession will see a reduction or elimination of service for their event. In two years I think we have moved from a culture of concessions entitlement, to one of unrealistic but more malleable expectations, and are headed toward a much healthier business/service model for concessions at EPIC and CPP.

A handwritten signature in black ink, appearing to read "David", written in a cursive style.

COMMON POLICY DECLARATIONS

Renewal Declarations

POLICY NO. 1CT0637621/CO-0100001/A01

NATIONAL FARMERS UNION PROPERTY AND CASUALTY COMPANY 5619 DTC PARKWAY - SUITE 300 GREENWOOD VILLAGE, COLORADO 80111-3136	JOHN C NOLAND DBA NOLAND INDUSTRIES 121 E SWALLOW RD # 115 FORT COLLINS CO 80525-2568	CO000210
---	--	----------

**NAMED INSURED:** GARRY BJORKLUND DBA  
PROFESSOR MUNCHIE  
**MAILING ADDRESS:** 5200 STILLWATER CREEK CT  
FORT COLLINS CO 80528-8514

**POLICY PERIOD:** From 2/22/11 to 2/22/12  
at 12:01 A.M. Standard Time at your mailing address shown above.

**BUSINESS DESCRIPTION:** RESTAURANT

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

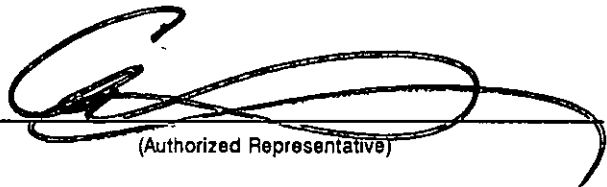
THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH A PREMIUM IS INDICATED. THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.

		PREMIUM
Commercial Property Coverage Part	\$	128
Commercial General Liability Coverage Part	\$	1,697
Commercial Crime Coverage Part	\$	0
Commercial Inland Marine Coverage Part	\$	0
Commercial Auto Coverage Part	\$	0
<b>TOTAL</b>	<b>\$</b>	<b>1,825</b>

**Forms applicable to all Coverage Parts:**

AA33 (01-08)	ILO017 (11-98)	ILO021 (07-02)	ILO228 (07-02)
ILO169 (07-02)	ILO935 (07-02)	CF150 (11-85)	CL150 (11-85)

COUNTERSIGNED \_\_\_\_\_ BY \_\_\_\_\_  
(Date)

  
(Authorized Representative)

THESE DECLARATIONS TOGETHER WITH THE COMMON POLICY CONDITIONS, COVERAGE PART DECLARATIONS, COVERAGE PART COVERAGE FORM(S) AND FORMS AND ENDORSEMENTS, IF ANY, ISSUED TO FORM A PART THEREOF, COMPLETE THE ABOVE NUMBERED POLICY.

JDL 190 (0)-0 (Ed. 11-85) Includes copyrighted material of Insurance Service Office, Inc. with its permission.  
Copyright, Insurance Services Office, Inc., 1983, 1984.

2/16/11

# COMMERCIAL PROPERTY COVERAGE PART DECLARATIONS PAGE

Renewal Declarations

**POLICY NO.** 1CT0637621/CO-0100001/A01

**NAMED INSURED** GARRY BJORKLUND DBA  
PROFESSOR MUNCHIE

**DESCRIPTION OF PREMISES**

PREM. NO.	BLDG. NO.	LOCATION, CONSTRUCTION AND OCCUPANCY
1	1	UNKNOWN 1801 RIVERSIDE AVE FT COLLINS CO 80525 NC

**COVERAGES PROVIDED** INSURANCE AT THE DESCRIBED PREMISES APPLIES FOR COVERAGES FOR WHICH A LIMIT IS SHOWN

PREM. NO.	BLDG. NO.	COVERAGE	LIMIT OF INSURANCE	COVERED CAUSES OF LOSS	COINSURANCE*	RATES
1	1	BUSINESS PERSL PROP	6,500	SPECIAL	100	1.150

\* IF EXTRA EXPENSE COVERAGE, LIMITS ON LOSS PAYMENT

**OPTIONAL COVERAGES** APPLICABLE ONLY WHEN ENTRIES ARE MADE IN THE SCHEDULE BELOW

PREM. NO.	BLDG. NO.	AGREED VALUE	COVERAGE	EXPIRATION DATE	AMOUNT	VALUE OPTION	INCLUDING "STOCK"
1	1		BUSINESS PERSL PROP			REPLACEMENT COST	

**MORTGAGE HOLDERS**

PREM. NO. BLDG. NO. MORTGAGE HOLDER NAME AND MAILING ADDRESS

**DEDUCTIBLE**

PREM. NO.	BLDG. NO.	COVERAGE	BASIC-GP I	BASIC-GP II	BROAD	SPECIAL
1	1	BUSINESS PERSL PROP	1000	1000		1000

**FORMS APPLICABLE**

TO ALL COVERAGES: CP0010 (04-02) CP0090 (07-88) CP1030 (04-02) IL0415 (04-98) IL0952 (01-08) PG488 (03-91)  
PG82 (06-05)

**TO SPECIFIC PREMISES/COVERAGES:**

PREM. NO.	BLDG. NO.	COVERAGE(S)	PREMIUM	FORM NUMBER
		Cap on Losses	\$ 53	IL0952 (01-08)

CF 150 (11/85)

2/16/11

# COMMERCIAL GENERAL LIABILITY COVERAGE PART DECLARATIONS

Renewal Declarations

**POLICY NO:** 1CT0637621/CO-0100001/A01

**NAMED INSURED:** GARRY BJORKLUND DBA  
PROFESSOR MUNCHIE

**LIMITS OF INSURANCE:**

GENERAL AGGREGATE LIMIT (Other than Products-Completed Operations)	2,000,000	
PRODUCTS-COMPLETED OPERATIONS AGGREGATE LIMIT	2,000,000	
PERSONAL & ADVERTISING INJURY LIMIT	1,000,000	
EACH OCCURRENCE LIMIT	1,000,000	
FIRE DAMAGE LIMIT	50,000	ANY ONE FIRE
MEDICAL EXPENSE LIMIT	5,000	ANY ONE PERSON

**FORM OF BUSINESS:**

- |  |                                      |
|--|--------------------------------------|
| <input checked="" type="checkbox"/> Individual | <input type="checkbox"/> Partnership |
| <input type="checkbox"/> Joint Venture         | <input type="checkbox"/> Other:      |

This is an Occurrence (X) / Claims-Made ( ) policy.  
If this is a Claims-Made policy, Coverage A of this insurance does not apply to "Bodily Injury" or "Property Damage" which occurs before the Retroactive Date shown here:

**LOCATION OF ALL PREMISES YOU OWN, RENT OR OCCUPY:**

1801 RIVERSIDE AVE      FT COLLINS      CO      80525

CLASSIFICATION	CODE NO.	PREMIUM BASIS	RATES		ADVANCE PREMIUMS	
			PR/CO	ALL OTHER	PR/CO	ALL OTHER
Restaurants with NO sale of alcohol	16900	150,000 ( )	1.821	9.457	273	1,419
Add'l Insured-Managers or Lessor Of Premises CITY OF FORT COLLINS PURACHASING DEPT PO BOX 580 FT COLLINS CO 80522-0580 CITY OF FORT COLLINS PURCHASING DEPT.	CG2011	( )				5
Deductible Liability Insurance Property Damage Liability \$ 250.00 ded per claimEPT.	CG0300	( )			PO BOX 580	
Exclusion Explosion, Collapse and Underground All locations & operations Excluded Hazard(s): Explosion, Collapse and Underground PD	CG2142	( )				
				Total	273	1,424

**ENDORSEMENTS ATTACHED TO THIS COVERAGE FORM:**

CG0001 (12-04)	CG0067 (03-05)	CG0300 (01-96)	CG2142 (12-04)	CG2147 (07-98)	CG2149 (09-99)
CG2167 (12-04)	CG2170 (01-08)	CG2407 (01-96)	NEN8139 (04-94)	PG947 (01-05)	CG2011 (01-96)

CL 150 (11/85)

2/16/11