

FREQUENTLY ASKED QUESTIONS (FAQS)
RIIS PARK BAY 9 & RELATED FACILITIES:
2022 REQUEST FOR PROPOSALS (RFP)

Questions about this RFP must be submitted via email to gateway_bmd@nps.gov by no later than February 14, 2022, which is the date noted on the cover page of the Request for Proposals. NPS will issue answers in the format of Frequently Asked Questions which will be made available to the public.

Notice to Applicants

This Request for Proposals (RFP) can be found here:
<https://www.nps.gov/gate/getinvolved/riis-park-bay-9-rfp.htm>

Updated February 18, 2022

Q. Would providing the resumes of the applicants involved in the corporate entity meet the “Applicant Identification” information requirements, specifically with respect to professional licenses or special skills/designation?

A. Yes. Providing resumes is an acceptable method of providing such documentation though it is recommended that Applicants identify those professional licenses or special skills/designations in the proposals.

Q. Can the National Park Service guarantee the security and confidentiality of an applicant’s proposal when submitted via email?

A. Yes, to a degree. NPS will retain information as confidential if such information is marked as such. Instructions on doing so are contained in the RFP:

If you believe that your proposal contains trade secrets or confidential commercial or financial information exempt from disclosure under the Freedom of Information Act, mark the cover page of each copy of the proposal with the following legend:

“The information specifically identified on pages of this proposal constitutes trade Secrets or confidential commercial or financial information that the Applicant believes to be exempt from disclosure under the Freedom of Information Act. The Applicant requests that this information not be disclosed to the public, except as may be required by law.”

Applicants must specifically identify what you consider to be trade secret information or confidential commercial or financial information on the page of the proposal on which it appears, and you must mark each such page with the following legend:

“This page contains trade secrets or confidential commercial and financial information that the Applicant believes to be exempt from disclosure under the Freedom of Information Act, and which is subject to the legend contained on the cover page of this proposal.”

Information so identified will not be made public by the NPS except in accordance with law.

With regard to overall email security, while the Department of the Interior has implemented government-mandated security protocols, no guarantee or assurance can be given that email systems are 100% secure from unauthorized access.

Q. Are there limits on electronic file sizes submitted in response to the RFP?

A. Yes. The NPS email system can receive email attachments up to 20MB. If the proposal exceeds 20MB, the Applicant should split the proposal into separate files and add the following to the subject line:

Proposal – Bay 9 RFP 2022, **Email 1 of __**

The National Park Service will then combine the files upon receipt.

Q. Will the National Park Service notify applicants that a submitted proposal has been received?

A. Yes. The NPS will issue a written response via email from gateway_nps.gov acknowledging receipt of the proposal.

Updated January 25, 2022

Q. Are there any restrictions on who may submit a proposal in connection with this opportunity?

A. Yes. Applicants who are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from a public transaction by a federal department or agency, or whose obligations for payments have been deemed delinquent and have been deferred to the United States Treasury, are not eligible for consideration.

Q. Is it possible to get on the mailing list for other NPS RFPs as well?

A. Yes. Please email a request to gateway_bmd@nps.gov and we will add your email address to our notification list. However, to ensure you are aware of all business opportunities in the Park, please visit our website at:

<https://www.nps.gov/gate/getinvolved/dobusinesswithus.htm>

For more information on NPS leasing opportunities beyond Gateway National Recreation Area, please visit the following website:

<https://www.nps.gov/subjects/leasing/open-opportunities.htm>

Q. Would the National Park Service entertain extending the term period beyond the original seven-year limit in the RFP?

A. No. The seven-year term identified in the RFP cannot be extended, but the parties can agree to a shorter term.

Q. Can the park share visitor counts to Jacob Riis Park for 2021?

A. Yes. For detailed statistics on Park visitation, please visit the following link:
<https://irma.nps.gov/STATS/Reports/Park/GATE>

Q. Is a professional inspection of the exhaust and other systems permitted?

A. Yes, as part of the due diligence process afforded to prospective bidders, inspections are permitted under certain conditions which include, but are not limited to the following:

- A copy of any attestation required in accordance with Covid 19 related guidance
- Based on the Park's sole determination, the professional(s) employed to perform such inspections must be appropriately qualified.
- A copy of any required professional license(s) and general liability and worker's compensation insurance certificates must be provided to the Park in advance of any inspection.
- For roof inspections, anyone accessing the roof will be required to wear their own, O.S.H.A. standard, Personal Protective Equipment and fall protection.
- Any modification to the structures or excavation of any kind is strictly prohibited.

Weather permitting, the Park has tentatively scheduled the following dates for site inspections:

- 2/04/22 – 10:00am – 2:00pm
- 2/18/22 – 10:00am – 2:00pm

The above dates and/or times are subject to change. Please contact the business management office at gateway_bmd@nps.gov to make the necessary arrangements & schedule the site inspection.

Q. Is there some sort of historic revenue reporting on file that we can use to determine the profitability of the current operator?

A. No. NPS does not release this type of business information which is considered trade secrets, or confidential information.

Q. Do we need to submit banks statements and credit reports in excel format to satisfy the requirement to provide financial information?

A. No. Bank statements and credit reports should be submitted in PDF format and do not need to be in Excel or compatible software. Otherwise, "Financial Attachments" refers to balance sheets, income statements & other similar data typically presented in "spreadsheet" form.

Q. Where can the form "Financial Information for Revenue Producing Services" be found online?

A. Attachment D-Form 10-355 Financial Information for Revenue Producing Uses has been uploaded to the Park's website and can be accessed via the following link:

<https://www.nps.gov/gate/getinvolved/riis-park-bay-9-rfp.htm>

Q. Can I submit a proposal via hand delivery, regular mail, or courier?

A. No. Due to COVID considerations, NPS is only accepting proposals electronically, via email to gateway_bmd@nps.gov.

Q. Is NPS seeking an operator to provide year-round service at the locations identified in the RFP?

A. Yes. NPS is seeking proposals addressing year-round use but recognizes that peak operations occur in the summer and shoulder seasons.

Q. Some of the information requested in the RFP appears in multiple sections or criteria. Are we required to submit the same information multiple times?

A. No. Applicants need not submit the same exact information multiple times within their response. As per the RFP, effective proposals should be organized with the same format and numbering system as the RFP and should contain clear, concise answers that address all the questions raised.

Q. Do we need to submit formal plans or specifications as part of our response to the RFP?

A. No. Proposed Applicants should submit concept plans which address compatibility with the historic qualities of the property. Technical drawings, architectural designs, and similar deliverables are not required in response to the RFP.

Q. Has the Service conducted any sort of analysis or due diligence on mobile or temporary services to determine their financial viability? If not, how can the Service “favor” proposals that include these services if they may not be feasible?

A. No, the NPS has made no determinations concerning financial viability of mobile or temporary vending opportunities and cannot make any representations concerning same. It is the Offeror’s responsibility to perform the necessary due diligence to determine the economic feasibility of such operations.

Given the need to accommodate large, diverse crowds, NPS welcomes proposals that increase the availability of food & beverage options at a variety of price points as this typically improves the overall visitor experience.

Park management will determine whether pop up or mobile vendors will be permitted to operate on an annual basis, based on site conditions. The number of and locations along the boardwalk at which such activity may occur, if at all, will be determined on a case-by-case basis.

Q. Did the Service receive any responsive proposals for the last solicitation for this lease in 2020? If so, what was the outcome of that solicitation?

A. Yes. The prior Lessee has decided not to continue at this location. As a result, we are making these facilities available to another operator through this competitive opportunity.

Q. Are the facilities outfitted for the anticipated use?

A. No. The premises is being delivered in as-is condition. NPS makes no representations whatsoever as to the condition or functionality of any fixtures or equipment that remain at the site. Prospective bidders should perform their own due diligence and independent evaluation prior to submitting any proposal.

Q. Will plans for reuse of the Jacob Riis Bathhouse affect operations at the locations included in this RFP?

A. Yes. Construction impacts to the area should be expected. Due diligence for the Jacob Riis Bathhouse project is currently underway. The Bathhouse is expected to be utilized for lodging, dining, and event space. NPS will share any related press release.

Q. Does a Lessee have to obtain written NPS approval for a sub-lessee or sub-occupant?

A. Yes. NPS review the terms of any proposed sub-lease or sub-occupancy agreement is required. Please review the terms and conditions in Section 17.3 of the Sample Lease (Attachment B to the RFP, pages 42 and 43).

Q. Will the NPS publish (make available) the contractor's recommendations that led to the estimated repair costs identified in the RFP? Or will NPS provide the estimates for each listed repair?

A. No. Prospective bidders should not rely on government estimates, should undertake their own independent inspection, and should obtain their own reliable cost estimates.

Q. Is there a deadline for improvements identified in the RFP? Must they be completed before the initial spring opening?

A. Yes. Life/safety issues, if any, must be identified by the Applicant, and must be addressed immediately prior to commencing operations under the Lease. Required Improvements to the roof at Bay 9 and the roof at Bay 6 should be completed within one year of receiving compliance approval. Other improvements must be completed prior to the expiration of the Lease.

Q. Can food trucks stay overnight at Bays 2 and 14?

A. Yes. Use of food trucks (or Conex trailers retrofitted for sale of food and beverage) is permitted at these locations for the duration of the summer season but must be removed off-site annually. There is no storage available at the park in connection with the requirement to remove same.

Q. Is Wi-Fi required for internal use or to support public use?

A. No Wi-Fi is not required but applicants may find it necessary in support of the authorized activities. Applicants are free to propose other low-tech measures sufficient to support their operations or to allow visitors the ability to undertake mobile sales transactions and to secure reservations.

Q. Are there any restrictions on the chairs and umbrellas that Lessee's may make available for daily rental?

A. Yes. Restrictions on types and sizes of such equipment can be found in the NPS Compendium, located here:

<https://www.nps.gov/gate/learn/management/upload/GATE-Compendium-2021-rev.pdf>

Q. Even though the West Building at Bay 9 is not included as part of the authorized area, can vending trucks (mobile) be used in front of the building?

A. No. The Lessee's use of lands is limited to the land assignment identified in Attachment A to the RFP: <https://www.nps.gov/gate/getinvolved/upload/Attachment-A-Maps-and-Facilities-For-Posting-FINAL.pdf>. Additionally, Applicants should expect some form of construction activities in the area within the next year or so.

Q. What are the dimensions of the area in front of Bay 9 East Building that can be used for tables?

A. See Attachment A to the RFP: <https://www.nps.gov/gate/getinvolved/upload/Attachment-A-Maps-and-Facilities-For-Posting-FINAL.pdf>. Applicants should note that this area may be reconfigured at the park's discretion to account for health and safety considerations.

Q. Is sale of cold drinks or ice cream allowed on the beach?

A. No. Sales on the beach are prohibited. Sales are limited to the Leased Premises though customers are free to take food and non-alcoholic beverages to go. Sale and consumption of alcohol is limited to specific locations approved by NPS at the Leased Premises.

Q. Is a liquor license required to sell alcohol at Bay 9?

A. Yes. Selected Applicants will have to comply with state and local liquor licensing requirements and provide NPS with copies of related approvals or authorizations.

Q. Does NPS provide a template in order to respond to the Request for Proposals?

A. No. Section IV, Paragraph D of the RFP – Proposal Submission Requirements and Section V – Proposal Package identify the information required from Applicants.