

**GENERAL INSTRUCTIONS FOR ALL APPLICATIONS FOR
COMMERCIAL USE AUTHORIZATION
U.S. DEPARTMENT OF THE INTERIOR**



**Gateway National Recreation Area
Sandy Hook Unit
58 Magruder Rd.
Fort Hancock, NJ 07732
732-872-5913**

A multi-part application form must be completed to apply for a Commercial Use Authorization (“CUA”). That form consists of two parts: (1) a brief general form requesting information common to all categories of CUAs that may be issued by this unit of the National Park System (“Part 1: General Information Form”); and (2) a supplemental category-specific form (“Part 2: Category-Specific Form”).

These are the general instructions for all required forms

TABLE OF CONTENTS	
Section A	Introduction to Passenger Ferry Service
Section B	General Instructions
Section C	Instructions for Part I: General Information Form
Section D	Instructions for Part II: Category-Specific Forms
Part I	General Information Form
Part II	Category Specific Form
Addenda	Addenda and Conditions of CUA

Section A

Introduction to Passenger Ferry Service Project

Section I. Project Introduction

It is the intent of this Request for Proposal to solicit proposals for operation of a passenger ferry service linking the Sandy Hook Unit of Gateway National Recreation Area, a unit of the United States National Park Service, with various points within the New York/New Jersey Metro area. The park will install a barge to serve as a floating dock which will be able to accommodate more than one docking operation at a time.

Section II. Unit Introduction

Gateway National Recreation Area (Gateway) was established in 1972 to provide a National Park experience to the nation's most densely developed urban area and reach populations that might not easily be able to access more traditional National Park Service (NPS) sites. Gateway NRA consists of three non-contiguous park units: Sandy Hook (NJ), Staten Island (NY), and Jamaica Bay (NY).

Section III. Geographic Introduction

The three park units of Gateway offers some of the region's most spectacular beaches, an internationally renowned wildlife refuge, fishing areas, hiking trails, bike and walking trails, and NPS and cooperator sponsored recreational activities, cultural resources, and educational programs. The location of these resources amidst populous urban neighborhoods and sprawling suburbs of New York and New Jersey adds immeasurably to their value for city and area residents but also increases the need for alternative options to automobile travel. Passenger ferry service is the optimal solution to alternative transportation given the lack of mass transit options to park locations.

The Sandy Hook Peninsula (and park unit) is located in Monmouth County, New Jersey. The peninsula is approximately 1700 acres in size extending north from coastal New Jersey at Sea Bright into the convergence of Raritan Bay, Sandy Hook Bay, Lower New York Bay, and the Atlantic Ocean. The unit is located at the turning point between the Jersey Shore and the Middlesex-Monmouth County Bayshore Communities. The Jersey Shore town of Sea Bright is directly south of the park with short trips to Red Bank, Little Silver, and Long Branch among other towns. West of the park, the Bayshore Communities consist of ten municipalities located along the coast of the Raritan Bay: Aberdeen, Atlantic Highlands, Hazlet, Highlands, Keansburg, Keyport, Marlboro, Matawan, Middletown, and Union Beach.

The location of the ferry dock is at the north end of the Sandy Hook Peninsula and along the western shoreline on Sandy Hook Bay. The dock location in Fort Hancock is at the convergence of Hartshorne Drive, Kearney Road, and S. Bragg Drive. Adjacent to the dock location is the Chapel building and a parking area where shuttle buses will pick up and drop off park visitors. Also at this location is direct access to the Multi-use pathway (MUP) which can be used for bicycling, rollerblading, walking, etc. The MUP continues to be expanded by the park, and accesses the entire Sandy Hook Peninsula.

Section IV. The Need for Passenger Ferry Service

The location within the New York Metropolitan Area provides excellent proximity to the pristine and protected natural resource of Sandy Hook’s beaches, natural and cultural attractions. However, this proximity and popularity results in significant road and parking congestion during the summer season. On average, parking availability exceeds capacity for 10-12 weekend days each summer, resulting in park closings and traffic delays lasting several hours.

Not only does this traffic problem degrade the visitor experience, but it also places stress on local road infrastructure, law enforcement, and natural resources. Passenger ferry service to Sandy Hook has been in operation for over a decade and provides a welcome relief to the vehicular traffic as well as increased options for visitors travelling from New York City. Nevertheless, increased service and options is needed to improve visitor access and alleviate traffic and resource concerns.

The park will install a barge to serve as a floating dock which will be able to accommodate more than one docking operation at a time. This will be a temporary docking system that will be utilized during the interim phases and construction of a new passenger ferry dock forecast for 2012.

Section B

PASSENGER FERRY SERVICE SANDY HOOK UNIT, GATEWAY NATIONAL RECREATION AREA

General Instructions

Who May Apply?

Federal laws and regulations prohibit engaging in or soliciting business in areas of the National Park System unless explicitly authorized, through a permit, contract, or other authorization.

Commercial Use Authorizations (“CUAs”) are one means by which the National Park Service may authorize commercial services. Use of CUAs is strictly limited by law, however, both as to the type of commercial operation that may be authorized and as to the conditions under which the CUA may be granted. The criteria for issuance of CUAs and the limitations on their use was set out by Congress in Section 418 of the National Parks Omnibus Management Act of 1998 (Public Law 105-391) and codified in 16 U.S.C. §5966.

Two types of commercial operations are eligible to apply for CUAs: (1) those with annual gross receipts of not more than \$25,000 resulting from services originating and provided solely with a unit of the National Park System pursuant to such authorization; and (2) the incidental use of resources of the unit by commercial operations which provide services originating and terminating outside of the boundaries of the unit. The second type of CUA, “out of park”, is the subject of this application, and therefore does not limit gross receipts.

The National Park Service is allowed to issue CUAs to an eligible applicant only if specified criteria are met. Among other things, the National Park Service must determine that the commercial service will have minimal impact on resources and values of the unit of the National Park System and are consistent with the purpose for which the unit was established and with all applicable management plans and park policies and regulations. In addition, the National Park Service is required to include terms and conditions in CUAs that address specified statutory criteria, including (for example) the preservation and conservation of park resources and values, protection of visitors, the liability of the United States arising from authorized services, and fees to be paid in connection with the CUA. The National Park Service is prohibited by law from issuing more CUAs than are consistent with the preservation and proper management of park resources and values.

Terms and Conditions of CUA

Issuance of any CUA is subject to terms and conditions, which must be accepted in writing by the CUA holder. The terms and conditions applicable to each of the various types of commercial service for which CUAs may be issued are appended to the Part 2: Category-Specific Forms for each commercial service.

Applicants must agree in advance, as part of their application, to accept (if the CUA is issued) the terms and conditions applicable to the CUA for which the applicant is applying. **Applicants should carefully review these terms and conditions, as they set out the CUA holder’s rights and obligations in the event that a CUA is issued.** Among other things, CUA holders are required to carry specified types and levels of insurance and to indemnify and hold harmless the United States from liabilities in connection with the CUA. Applicants must accept any issued

CUA in writing no later than thirty working days after that CUA is issued by the National Park Service.

Duration of CUA

Terms will vary depending upon the type or category of commercial service for which the CUA is sought. The maximum term legally allowed for a CUA is two years in duration. The law prohibits any preferential right of renewal or similar provisions for renewal of a CUA.

Fees

The National Park Service is required by law to charge a reasonable fee for issuance of a CUA, at a minimum to recover associated management and administrative costs. In addition, the National Park Service may charge fees to recover the costs for the maintenance and repair of park area resources impacted by the CUA holder's activities. Some units of the National Park System also may charge entrance fees. All of these fees must be submitted at the time of application for a CUA: (1) an Application Fee, to recover the costs incurred by the National Park Service in mailing, distribution and initial review of the application for completeness, (2) an Administrative Fee, to recover the costs associated with substantive review of the application and decision to approve or deny the CUA, (3) a Management/Monitoring Fee charged by some units of the National Park System to recover the costs incurred by all unit divisions involved in monitoring, supporting or cleanup and restoring after the use; and (4) an Entrance Fee charged by some units of the National Park System to reduce identified non-recurring maintenance, infrastructure repair, and to assist resource management. Specific fees required will be identified in the Part 2: Category-Specific Form applicable to the particular type of commercial service for which authorization is sought.

What Must Be Submitted To Apply

To be considered, applicants must submit to the National Park Service (1) a completed Part 1: General Information Form; (2) a completed Part 2: Category-Specific Form for the particular type of commercial service for which authorization is sought; and (3) the required fees, in the amount specified in the Part 2: Category-Specific Form. Fees may be paid by cashier's check, certified check or money order and should include the applicant's employer identification number and be made payable to the National Park Service.

Limited Possibility for Re-Fund Of Fees Submitted With Application

The Application Fee is non-refundable for the proposed CUA. If, however there are substantial changes to the Passenger Ferry Service as described in this application, then this application will be deemed null and void, and the NPS, at its discretion, may choose to reimburse Application Fees.

Where and How To Submit Applications and Fees

The completed application forms and fees should be sent by regular or express mail or other means of method of delivery to the unit of the National Park System in which the commercial service, if authorized, is to occur and should be sent to the attention of the park's Sandy Hook Unit Coordinator, as identified in the instructions to the Part 2: Category-Specific Form applicable to the particular type of commercial service for which authorization is sought.

When to Submit Applications

Applicants are responsible for submitting applications and any fees and certifications required to accompany the applications so as to reach the Park by the time specified in the instructions to the Part 2: Category-Specific Form applicable to the particular type of commercial service for which authorization is sought.

Completion of Forms

Unless otherwise specified in the instructions to the application forms, each item in each form must be answered. To indicate that each item has been considered, enter "NA," for not applicable, if a particular item does not fit the circumstances or characteristics of the particular type of commercial service for which authorization is sought.

If Limited Number of CUAs, A Multi-Step Process Applies To Issuance

The National Park Service is prohibited by law from issuing more CUAs than are consistent with the preservation and proper management of park resources and values. In the event that it is necessary to limit the number of CUAs to be issued for a particular type of commercial service, the number of available CUAs will be identified in the instructions to the applicable Part 2: Category-Specific Form and a multi step process will be used to select the applicants to whom the available CUAs will be issued.

In the first step of the selection process, applications will be reviewed for completeness and timely submission. An application for a CUA is complete when the applicant has furnished (1) all of the information required by the Part 1: General Information Form; (2) all of the information required by applicable Part 2: Category-Specific Form; and (3) the fees, in the amount specified in the Part 2: Category-Specific Form. An application for a CUA is timely when it is received by the National Park Service at the Park CUA Program Office by the time specified in the instructions to the applicable Part 2: Category-Specific Form.

Applications that are determined in the first step of the selection process to be complete and to be timely submitted ("Qualifying Application(s)") qualify, depending on their number, either for issuance of a CUA or further consideration in a second step, or round, of the selection process. If the number of Qualifying Applications is equal to or less than the total number of CUAs available for a particular type of commercial service, then a CUA will be issued to each of the applicants who submitted a Qualifying Application. If, however, the number of Qualifying Applications is greater than the total number of CUAs available for issuance for that type of commercial service, there will be a second step to the selection process.

In the second step of the selection process, Qualifying Applications will be evaluated and their relative qualities assessed on the factors specified in the instructions to the applicable Part 2: Category-Specific Form. The Qualifying Applications will be ranked by the National Park Service in an order that reflects this evaluation and assessment. At the discretion of the park, additional information may be requested by the NPS to clarify the contents of a submitted application. CUAs then will be issued to the top ranked applicants in order of their ranking and in number corresponding to that set in the Part 2: Category-Specific Form as the number of available CUAs.

If Limited Number of CUAs, Other Conditions Apply

In the event that it is necessary to limit the number of CUAs to be issued for a particular type of commercial service, the National Park Service must take appropriate measures to ensure that any

authorized services are provided to visitors at reasonable rates and under appropriate operating conditions. These measures are included in the terms and conditions appended to the Part 2: Category-Specific Forms for each commercial service

Limitation On Number Of Applications

The National Park Service will accept only one application per category of commercial service from any individual, company or other legally recognized entity intending to engage in a commercial operation for which a CUA is required.

Not Assignable or Transferable

Neither the application for a CUA nor the CUA, once issued, may be transferred or assigned. Subcontracts or other third party agreements for the provision of any commercial services authorized by a CUA are prohibited.

Section C

**PASSENGER FERRY SERVICE
SANDY HOOK UNIT, GATEWAY NATIONAL RECREATION AREA**

Instructions for Part I: General Information Form

This form must be completed by all applicants.

Completing This Form

Please type or print in ink.

Further Instructions and Explanations Regarding Individual Items in the Part 1 Form (numbered instructions/explanations correspond to item numbers on the form)

1. If the field is left blank by the park, indicate the year of issuance and requested duration or term of the CUA requested. The maximum term allowed will be specified in the Part 2: Category-Specific Form applicable to the particular type of commercial service for which authorization is sought.
2. If the field is left blank by the park, enter the name of the particular type of commercial operation for which the CUA is sought and the name of any Part 2: Category-Specific Form(s) being submitted with the Part 1: General Information Form.
3. Give the name, as it is legally referred to, of the person, firm, company or other legally recognized entity that operates the commercial operation for which the CUA is sought. In addition, clearly identify any secondary name under which you are doing business (*e.g.* any d/b/a).
4. Check the box that identifies your type of business and supply the information requested in any box you have checked.
5. Give the name, title and other requested contact information of a person who is thoroughly familiar with the commercial services for which authorization is sought and with the facts reported in this application and who can be contracted by reviewing offices if necessary.
6. Give the complete mailing address (both for the summer and the winter) where correspondence should be sent. This information may also be published in the NPS Commercial Services Directory.
7. Provide your Employer Identification Number (EIN). This is a requirement of the 1996 Debt Collection Act. The EIN that you provide will be used as needed to collect debts.
8. If the Applicant is a corporation, firm, partnership, association, or institution, give the name(s) of the registered agent for the service of process.
9. National Park Service Management Policy prohibits employees of the National Park Service and their spouses and minor children from acquiring or retaining any authorization conducting commercial services in a Park area.

10. Enclose a copy of the business license issued from the city or county in which the business is located. If your city or county does not require a business license, please provide this information in response to item 10.
11. Provide names and titles of employees who will work in the Park under the authority of the CUA, if issued. Use additional paper if needed. Each and every employee of the CUA Holder must have valid identification which is to be presented in view of the public.
12. Provide the requested information.
13. Provide the requested information.
14. Provide the requested information.
15. Federal law provides for severe penalties for submitting false information on this application form. The Applicant must sign and date the application and print or type its name below the signature line. Applications signed by an agent must be accompanied by evidence of that agent's authority.

Section D

PASSENGER FERRY SERVICE SANDY HOOK UNIT, GATEWAY NATIONAL RECREATION AREA

Instructions for Part II: Category-Specific Form for Passenger Ferry Service

In addition to completing the Part 1: General Information Form, each applicant must complete a Part 2: Category-Specific Form. This form should be completed only by applicants for a CUA for the following type or category of commercial service: Passenger Ferry Service to the Sandy Hook Unit, Gateway National Recreation Area.

Commercial Services Included In This Category

The specific type of commercial service that will be authorized is referred to as Passenger Ferry Service to the Sandy Hook Unit, Gateway National Recreation Area.

The Park is initially authorizing this commercial service for a period of 12 months during which the Park will assess the effectiveness of the CUA's operating conditions in providing a safe and property managed transportation alternative for park visitors while protecting park resources. During this period, the Park may place limitations or additional requirements on any unanticipated adverse impacts on Park or state resources or to maintain an acceptable level of customer service and safety to visitors.

Number of CUAs For This Specific Category Is Not Limited

The National Park Service has determined the number of CUAs for this category of commercial service will not be limited to be consistent with the preservation and proper management of Park resources and values. The number of available CUAs for this commercial service is unlimited.

Applicant Selection Process

- (1) *Resource protection.* The National Park Service is required by law when issuing any CUA to require that the commercial services provided be accomplished in a manner consistent to the highest practicable degree with the preservation and conservation of park resources and values. The National Park Service will evaluate and assess the impacts on preservation and conservation of the Park in general of the operations and any mitigating measures proposed in the Qualifying Applications.
- (2) *Visitor safety.* The National Park Service will evaluate any safety programs proposed and any examples provided as a measure of the Applicant's plan for and ability to safely manage incidents and emergencies in a manner minimizing injury.
- (3) *Past performance.* The National Park Service will evaluate past performance as a measure of the degree to which an Applicant has satisfied its customers in the past and complied with Federal, State and Local laws and regulations. An Applicant who states it has no record of relevant past performance will not be evaluated favorably or unfavorably on past performance. The National Park

- Service may (but is not obligated to) contact sources listed by the Applicant or otherwise available regarding Applicant's past performance.
- (4) *Relevant experience.* The National Park Service will evaluate that experience of the Applicant that is direct participation in comparable projects.
 - (5) *Qualifications and Experience of Key Personnel.* The National Park Service will evaluate key personnel qualifications and experience based on scope, magnitude, and relevance to the commercial services that will be authorized under the CUA.

Duration of CUA

The term of the CUA for Passenger Ferry Service to the Sandy Hook Unit of Gateway National Recreation Area will be limited to the term stated on the CUA, usually lasting 12 months from the time of initial authorization. At the end of the 12 month term, this Commercial Use Authorization will expire.

Where to Submit Applications and Application Fees

Completed applications should be submitted together with all required application and permit fees to the following Park Office:

Pete McCarthy, Unit Coordinator
Gateway National Recreation Area
Sandy Hook Unit
58 Magruder Rd.
Fort Hancock, NJ 07732
Pete_mccarthy@nps.gov
732-872-5913

Additional Park Contact:
Barbara Repeta, Chief Business Management
Barbara_repeta@nps.gov
718-354-4614

Deadline for Submission of Applications and Application Fees

Applications and any fees required to accompany the CUA application for Passenger Ferry Service must be submitted so as to reach the Park office as stated above by **4:00 p.m. EST on April 12, 2010**. All proposals must be submitted in sealed envelopes and marked "Gateway National Recreation Area, Sandy Hook Passenger Ferry Service Application."

Completing This Form

Please type or print in ink.

Further Instructions and Explanations Regarding Individual Items in the Part 2: Category-Specific Form for Passenger Ferry Service (numbered instructions/explanations correspond to item numbers on the form)

1. Give the same name as that provided in Part 1: General Information Form.

2. Applicants must agree in advance, as part of their application, to accept (if the CUA is issued) the terms and conditions applicable to the CUA for which the applicant is applying. A copy of the CUA Addenda & Conditions is attached to the Part 2: Category Specific Form. Applicants should review the Addenda & Conditions to further their awareness of the conditions of the authorization. The Applicant's signature at the end of the Part 2 form evidences the Applicant's agreement, if selected for issuance of the CUA, to (1) accept the terms and conditions applicable to the CUA for which the Applicant is applying and (2) accept any issued CUA in writing no later than thirty working days after that CUA is issued by the National Park Service.
3. Supply all of the required information and check the appropriate boxes to indicate the information has been attached or is otherwise enclosed with the Part 2 application.
4. Federal law provides for severe penalties for submitting false information on this application form. The Applicant must sign and date the application and print or type its name below the signature line. Applications signed by an agent must be accompanied by evidence of that agent's authority.

GENERAL INFORMATION FORM

**APPLICATION FOR A
COMMERCIAL USE AUTHORIZATION
U.S. DEPARTMENT OF THE INTERIOR**



**National Park Service
Gateway National Recreation Area
Sandy Hook Unit
58 Magruder Rd.
Fort Hancock, NJ 07732
(732) 872-5913**

Please type or print in ink. Answer all questions completely or mark "N/A" if not applicable.

- (1) **What is the requested year of issuance and duration of the Commercial Use Authorization (CUA):** Issuance in 2010 for 1 year
- (2) **Identify the specific type of commercial service for which authorization is sought:**
Passenger Ferry Service to The Sandy Hook Unit of Gateway NRA

A supplemental category-specific form ("Category-Specific Form") for that service must be completed and attached to this General Information Form. Indicate the name of any attached Category-Specific Forms:

Passenger Ferry Service

- (3) **Applicant (Legal Business Name)**

- (4) **What is the legal form of the Applicant (Please check one below):**

A. Sole Proprietor

B. Corporation: (State: _____ Entity Number _____)

C. Non-Profit (Please attach a copy of your IRS Ruling or Determination Letter)

D. Partnership/Association. *Print the names of each partner. If there are more than two partners, please attach a complete list of their names.*

(Name _____)

(Name _____)

E. Other (Specify) _____

(5) **Applicant Contact Information:**

SUMMER CONTACT INFO (Dates at this address _____)

Name and Title: _____
Address: _____
City, State, Zip: _____
Email: _____
Internet: _____
Day Phone: _____ Evening Phone: _____
Fax: _____

WINTER CONTACT INFO (Dates at this address _____)

If same as “Summer Contact Info”, check here rather than re-state below.

Name and Title: _____
Address: _____
City, State, Zip: _____
Email: _____
Internet: _____
Day Phone: _____ Evening Phone: _____
Fax: _____

(6) **Applicant Mailing Address:**

SUMMER ADDRESS (Dates at this address _____)

If same as “Summer Contact Info”, check here rather than re-state below.

Address: _____
City, State, Zip: _____
Email: _____
Internet: _____
Telephone: _____ Facsimile: _____

WINTER ADDRESS (Dates at this address _____)

If same as “Winter Contact Info”, check here rather than re-state below.

Address: _____
City, State, Zip: _____
Email: _____
Internet: _____
Telephone: _____ Facsimile: _____

(7) **Employer’s Identification Number of the Applicant:**

(8) **Provide the name(s) of the registered agent for service of process for the Applicant (if applicable):** _____

- (12) **Currently or within the past five (5) years, has the Applicant (including any officer, principal, partner or employee of the Applicant) been convicted of or forfeited collateral for any violations of state, federal, or local law or regulation?** Yes No. **If "yes", please give a description of each violation. Attach additional sheets if necessary.**

Date of Violation: _____
Was this a conviction? _____ Was Collateral forfeited? _____
Name of Business or person(s) _____
Place of Violation? _____
Court Name _____
Provide Details? _____

(Results) Action Taken by Court _____

- (13) ***Within the past five (5) years, have any of the Applicant’s current or proposed employees been convicted of or forfeited collateral for any state, federal, or local law or regulation; OR are they now under charges for any violation of state, federal or local law or regulation?**
 Yes No.

If "yes", please give a description of each violation. Attach additional sheets if necessary.

*(*Employees identified below may be precluded from working for the operator)*

Date of Violation: _____ Place of Violation: _____
Was this a conviction? _____ Was Collateral forfeited? _____
Name of Employees or Proposed Employees Involved _____
Place of Violation? _____
Court Name _____
Give Details? _____
Current Status _____

- (14) **Within the past five (5) years, have any of the Applicant’s current or proposed employees been involved with a accident incidental to marine operations that resulted in injury or death?**
 Yes No.

If "yes", please give a description of each accident. Attach additional sheets if necessary.

Date of accident: _____ Place of Accident: _____
Did accident result in a Fatality? Yes No _
Did the victim(s) make a full recovery? Yes No
Name of Employees or Proposed Employees Involved _____
Was there litigation resulting from the accident?

Court Name _____
Give Details? _____
Current Status _____

- (15) **Signature:** False, fictitious or fraudulent statements of representations made in this application may be grounds for denial or revocation of the Commercial Use Authorization and may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001). All Information provided will be considered in reviewing this application. Applications signed by an agent must be accompanied by evidence of that agent's authority.

By my signature, I hereby attest that all my statements and answers on this form and any attachments are true, complete, and accurate to the best of my knowledge.

Signature

Date

Printed Name

Title

**PART 2:
CATEGORY SPECIFIC FORM
Passenger Ferry Service**

**APPLICATION FOR A
COMMERCIAL USE AUTHORIZATION
U.S. DEPARTMENT OF THE INTERIOR**



**National Park Service
Gateway National Recreation Area
Sandy Hook Unit
58 Magruder Rd.
Fort Hancock, NJ 07732
732-872-5913**

Please type or print in ink. Answer all questions completely or mark "N/A" if not applicable

1. APPLICANT'S NAME (as stated in Part 1: General Information Form):

2. AGREEMENT WITH TERMS AND CONDITIONS OF CUA:

A copy of the CUA Addenda and Conditions for Passenger Ferry Service to the Sandy Hook Unit, Gateway National Recreation Area is attached to this Part 2 form. **Applicants should carefully review these terms and conditions, as they set out the CUA holder's rights and obligations in the event that a CUA is issued.**

Applicant's signature at the end of this Part 2 form evidences the Applicant's agreement, if selected for issuance of the CUA, to (1) accept the terms and conditions applicable to the CUA for which the Applicant is applying and (2) complete any issued CUA form in writing no later than thirty working days after that CUA is issued by the National Park Service.

Applicant Initials: _____

3. **REQUIRED SUBMISSIONS:** Provide each of the following items and check to indicate the item is attached or otherwise enclosed with the Part 2 application

	Required Submission	Checklist
(1)	<p><u>U.S. Coast Guard License:</u> If any operation will be conducted from a vessel, provide for each and every boat operator a copy of a valid U.S. Coast Guard license. Either an Operator Uninspected Passenger Vessel license (OUPV) or a Master’s License may be provided. Vessels used by the Operator must meet all U.S. Coast Guard license and safety requirements and any applicable requirements of the State of New York and New Jersey, including approved PFDs and adequate ring buoys and life rafts.</p>	<p><input type="checkbox"/> Copy of U.S. Coast Guard License <input type="checkbox"/> PFD inventory <input type="checkbox"/> Safety equipment inventory <input type="checkbox"/> Safety equipment/passenger required and actual ratios</p>
(2)	<p><u>Client Orientation:</u> Submit an outline of the client orientation that you will provide. At a minimum, the orientation must cover:</p> <p>(a) National Park Service mission: To preserve unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations.</p> <p>(b) Practices to be followed that will protect the resources during Passenger Ferry Service to and within Sandy Hook Unit, Gateway NRA. The crew must brief passengers on the use and location of all safety, flotation devices and lifesaving equipment.</p> <p>(c) General description of hazards/safety issues (such as inclement weather, winds, heat exposure) associated with Sandy Hook Unit, Gateway NRA.</p>	<p><input type="checkbox"/> Outline Attached (a) <input type="checkbox"/> Mission (b) <input type="checkbox"/> Practices & Safety Equipment Briefing and Demo (c) <input type="checkbox"/> Hazards/Safety Issues</p>
(3)	<p><u>CPR and First Aid Certification:</u> Provide copies of current CPR and First Aid cards for all staff and equipment on vessel. While the vessel is in operation, at least one employee on board shall have the following qualifications:</p> <p>(a) CPR Certification (b) Standard First Aid certificate or equivalent</p>	<p><input type="checkbox"/> Copies of certification cards attached</p>
(4)	<p><u>Fuel and Debris Spill Prevention Control and Countermeasures Plan:</u> Submit a plan based upon the proposed operation to the NPS for review and approval.</p>	<p><input type="checkbox"/> Spill Prevention Control and Countermeasures Plan</p>

<p>(5)</p>	<p><u>Operating Plan:</u> Submit an Operating Plan and Equipment description. Vessels with capacities less than 50 passengers may not be considered due to dock congestion, visitor safety, docking capabilities, resource protection, and adequate visitor services. All Operating Plans will be reviewed by NPS for compatibility with the guidelines for commercial services, interpretation, and resource protection at the Sandy Hook Unit of Gateway NRA. CUA's will not be issued until the Operating Plan has been approved. The CUA Holder will be required as a condition of the CUA to comply with the approved Operating Plan.</p> <p>The Operating Plan, at a minimum, should include:</p> <p>(a) Explanation of services to be provided.</p> <p>(b) Equipment/Vessel Description and photos. Provide all relevant information in describing the vessel(s) to be used (size, person capacity, range, docking requirements, etc...)</p> <p>(c) List of proposed itinerary including maps/proposed routes. Provide a map displaying the proposed route(s) and proposed schedule.</p> <p>(d) Average and maximum size of group(s) including crew.</p> <p>(e) List of certifications and copies of individual employee qualifications (must be current).</p> <p>(f) Safety and/or sanitation precautions/procedures that apply to your service.</p> <p>(g) Park resource preservation and protection measures.</p> <p>(h) Explanation of the procedures to be taken in case of accidents or other emergencies.</p>	<p><input type="checkbox"/> Operating Plan is attached and includes:</p> <p>(a) <input type="checkbox"/> Service Explanations</p> <p>(b) <input type="checkbox"/> Vessel Description and information</p> <p>(c.) <input type="checkbox"/> Proposed Itinerary with maps/proposed routes</p> <p>(d) <input type="checkbox"/> Group Size</p> <p>(e) <input type="checkbox"/> Employee Qualifications</p> <p>(f) <input type="checkbox"/> Safety Procedures</p> <p>(g) <input type="checkbox"/> Resource Protection</p> <p>(h) <input type="checkbox"/> Emergency Procedures</p>
<p>(6)</p>	<p><u>Rate Schedule:</u> Provide proposed rate schedule for services that the Applicant proposes to offer through the CUA.</p>	<p><input type="checkbox"/> Proposed Rate Schedule Attached</p>

(7)	<p>Insurance: Provide copies of current Certificate of General Liability Insurance with a minimum coverage of \$5,000,000 aggregate for any number of claims, and \$1,000,000 per occurrence; Bumbershoot Liability Insurance, and Workers’ Compensation Insurance required by the attached CUA Addenda. Certificates of insurance for the general liability and any land transportation liability insurance must include an endorsement listing the United States of America, National Park Service, Gateway NRA as Additionally Insured and Certificate Holder.</p>	<p>(a) <input type="checkbox"/> Certificate of General Liability (b) <input type="checkbox"/> Certificate of Bumbershoot Policy (c) <input type="checkbox"/> Certificate of Workers Compensation Insurance</p>
(8)	<p>Licensing: Enclose a copy of the business license issued from the city or county in which the business is located.</p>	<p>(a) <input type="checkbox"/> Business license copy</p>
(9)	<p>Qualifications and Experience of Key Personnel: Provide resumes of key individuals who will carry out management and operations under the CUA.</p>	<p><input type="checkbox"/> Resumes</p>
(10)	<p>Experience and Past Performance: Submit a description of Applicant’s experience similar to the commercial services to be authorized by the CUA. Include examples of relevant past performance, including in working in remote and protected or environmentally sensitive areas and in using environmentally acceptable methods.</p>	<p><input type="checkbox"/> Description of experience and past performance</p>
(11)	<p>Cost Recovery I: A non-refundable application fee of \$300.00 is due with the application packet. Fees are subject to change annually. <i>Note: Fees may be paid by cashier’s check, certified check or money order and should include the applicant’s employer identification number and be made payable to the National Park Service</i></p>	<p><input type="checkbox"/> Check for \$300.00 – Application fee</p>
(12)	<p>Cost Recovery II: The following items and services are rendered with the need for cost recovery: Management and Monitoring by park staff to support Passenger Ferry operations and visitor services, administrative review and management, barge/dock maintenance, and shuttle bus service. Cost to the government is \$31,174 (including the application fee above) for the 12 month period, and must be recovered. Cost recovery fees to qualified applicants are contingent on the number of CUAs issued and will be prorated by the number of CUAs issued for this service, and not by any other means.</p>	<p>Cost Recovery Fee due upon approval and acceptance of CUA applications.</p>

4. SIGNATURE:

False, fictitious or fraudulent statements of representations made in this application may be grounds for denial or revocation of the Commercial Use Authorization and may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001). All Information provided will be considered in reviewing this application. Applications signed by an agent must be accompanied by evidence of that agent’s authority.

By my signature, I hereby attest that all my statements and answers on this form and any attachments are true, complete, and accurate to the best of my knowledge.

Signature

Date

Printed Name

Title

Addenda & Conditions of Authorization

**PASSENGER FERRY SERVICE
SANDY HOOK UNIT, GATEWAY NATIONAL RECREATION AREA**

1. Applicants are prohibited from giving false information, to do so will be considered a breach of conditions and be grounds for revocation: [RE:36 CFR 2.32(a)(3)].
2. Applicants shall exercise this privilege subject to the supervision of the Unit Coordinator and shall comply with all applicable laws and regulations of the area and terms and conditions of the authorization.
3. The authorization will be issued upon the express condition that the United States, its agents and employees shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury, injuries, or death to any person or persons or property of any kind. The applicant agrees to indemnify, defend, save and hold harmless the United States, its agents, and employees from all liabilities, charges, expenses and costs on account of or by reason of any such injuries, deaths, liabilities, claims, suits or losses however occurring or damages growing out of the same.
4. Applicants agree to carry coverage for each policy designated in this application in the minimum amount of one million dollars (\$1,000,000) per person, one million dollars (\$1,000,000) for property damage for any one claim, and aggregate of five million dollars (\$5,000,000) for any number of claims arising for any one incident. The policy must be underwritten by a United States company naming the United States of America (National Park Service, Gateway NRA) as additionally insured and the policy shall be submitted to the Park.
5. Cost incurred by the park as a result of accepting and processing the application will be reimbursed by the holder as Cost Recovery Fees. Cost Recovery Fees are due upon award and acceptance of the CUAs. Cost recovery fees for management and monitoring by park staff to support Passenger Ferry operations and visitor services, administrative review and management, and barge maintenance will be reimbursed by the holder. Cost to the government is \$31,174 for the 12 month period. Cost recovery fees to qualified applicants are contingent on the number of CUAs issued and will be prorated by the number of CUAs issued for this service, and not by any other means.
6. Benefit - Neither Members of, nor Delegates to Congress, or Resident Commissioners shall be admitted to any share or part of the authorization or derive, either directly or indirectly, any pecuniary benefit to arise therefrom: Provided, however, that nothing herein contained shall be construed to extend to any incorporated company, if the authorization be for the benefit of such corporation.
7. The authorization may not be transferred or assigned without the written consent of the Park.

8. The authorization may be terminated upon breach of any of the conditions herein or at the Park.
9. The applicant will comply with applicable public health and sanitation standards and codes.
10. The applicant is not entitled to any preference to renewal of this authorization except to the extent otherwise expressly provided by law. This authorization is not exclusive.
11. The applicant must acquire all permits or licenses of State or local government, as applicable, necessary to provide the services described above, and, must operate in compliance with all applicable Federal, State, and local laws and regulations, including, without limitation, all applicable park area policies, procedures and regulations. The commercial services described above are to be provided to park area visitors at reasonable rates and under operating conditions satisfactory to the Park.
12. The applicant shall not construct any structures, fixtures or improvements in the park area. The holder shall not engage in any groundbreaking activities without the express, written approval of the Park.
13. The applicant is to provide the park, upon request (and immediately after expiration of the authorization) a statement of gross receipts from activities. The applicant will also provide visitor use statistics and resource impact assessments upon request by the Park.
14. The applicant is to maintain an accounting system under which its accounts can be readily identified with its system of accounts classification. The applicant grants the United States of America and the General Accounting Office access to its books and records at any time for the purpose of determining compliance with terms and conditions.
15. The applicant shall submit all registration and inspection records for all vessels used during operation/service to the Park.
16. The applicant shall provide the NPS with a schedule of hours of operation for the services permitted along with a rate schedule, for review and approval prior to commencement of operation. The applicant shall arrange scheduled ferry service. The NPS reserves the right to adjust ferry schedules to prevent dock congestion, reduce impact to resources, and improve visitor experience.
17. The applicant shall be fully responsible for the acts and missions of their representatives and employees and shall provide the appropriate insurance requirements as listed within this application.
18. No private docking will be permitted without the expressed approval in writing of the Park.
19. This permit may be modified by amendment in writing at any time by mutual consent of the parties involved.

20. Any accident involving personal injury occurring with or on National Park Service property shall be reported in writing to the Unit Coordinator within twenty-four (24) hours of occurrence. Accidents requiring medical attention shall be reported immediately to the Ranger Station (732-872-5900)

21. Any publicity, including but not limited to circulars, flyers, posters, news releases, media announcements to publicize events or service must be reviewed and have written approval of the CUA office prior to release.