GENERAL INSTRUCTIONS FOR ALL APPLICATIONS FOR

COMMERCIAL USE AUTHORIZATION

U.S. DEPARTMENT OF THE INTERIOR

Grand Canyon National Park
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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

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Section A: 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 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.

This CUA for Bicycle Rental Operations at Grand Canyon National Park will be issued for one year with an option to extend the permit for up to an additional year.

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. One 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. Other fees will be assessed in the event that a CUA is issued and include: (1) an Administrative Fee, to recover the costs associated with substantive review of the application and decision to approve or deny the CUA, (2) 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. 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.

If the CUA for Bicycle Rental Operations is extended, the CUA holder will be required to pay an additional Management/Monitoring Fee for the additional period of operation. The National Park Service expects the fee to be a similar amount to the first year's fee, but it may be reevaluated to reflect any changes in the cost associated with the management and monitoring of the permit.

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) an Application Fee, in the amount specified in the Part 2: Category-Specific Form. Other fees also may be assessed in the event that a CUA is issued. 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. Credit cards will also be accepted. Credit card information must include the name on the card, card number, expiration date, security code, and billing address associated with the card.

Limited Possibility For Re-Fund Of Fees Submitted With Application

The Application Fee is non-refundable.

Where and How To Submit Applications and Application Fees

The completed application forms and Application Fee should be sent by regular or express mail or other means or method providing overnight delivery to:

Grand Canyon National Park
Attn: Molly Schroer, Division of Concessions Management
PO Box 129
1 Village Loop
Grand Canyon, Arizona 86023

When To Submit Applications

Applications must be received by **February 22, 2010.**

Completion Of Forms

Unless otherwise specified in 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 particularly 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 Application Fee, 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 Concessions Management 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. 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 B: Instructions for Part 1: 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. 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.

2. 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).

3. Check the box that identifies your type of business and supply the information requested in any box you have checked.

4. 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.

5. 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.

6. 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.

7. If the Applicant is a corporation, firm, partnership, association, or institution, give the name(s) of the registered agent for the service of process.

8. National Park Service 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.

9. 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.

10. Provide names and titles of employees who will work in the Park under the authority of the CUA, if issued. These are usually Staff Members that are your employees (not contracted service). Use additional paper if needed.

11. Provide the requested information.

12. Provide the requested information.

13. Provide the requested information.

14. 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 C: Instructions for Part 2: Category-Specific Forms

In addition to completing the Part 1: General Information Form, each applicant must complete a Part 2: Category-Specific Form for the particular type of commercial service for which authorization is sought

Selecting and Completing the Appropriate Part 2 Form

Select the Part 2: Category-Specific Form that addresses the particular type of commercial service for which authorization is sought. Further instructions and explanations for each available Part 2: Category Specific Form are set out below.

Please type or print in ink.

Section D: Instructions for Part 2: Category-Specific Form for Bicycle Rental Operations

This form should be completed only by applicants for a CUA for the following type or category of commercial service: Bicycle Rental Operations

Commercial Services Included In This Category

The National Park Service will issue one (1) CUA authorizing a Bike Rental Operation located at Canyon View Information Plaza within Grand Canyon National Park. Under the CUA, the permittee will be authorized to rent bicycles to park visitors for use on approved paved roadways and greenway trails on Grand Canyon National Park's South Rim. The permittee also will be required to provide visitors with all necessary safety equipment, including helmets. The permittee may, at the discretion of the National Park Service, be required or authorized to lead guided bicycle tours or to coordinate with the National Park Service to provide ranger guided tours.

Under the CUA, the permittee will be authorized to temporarily utilize a paved area at Canyon View Information Plaza near the Grand Canyon Visitor Center to be used as a sales area. The area will be approved by the National Park Service and will accommodate a table, a temporary shade structure and several display bicycles. The permittee will also be authorized to utilize a portion of the commercial bus parking area for bike storage. The permittee will be responsible for providing a temporary storage facility, such as a mobile locker or shed, to secure and store equipment.

Due to construction that will be occurring in the vicinity of the Grand Canyon Visitors Center, the location of the sales area and bike storage may change one or more times over the term of the CUA.

The CUA will have an initial term of twelve months. The term may be extended for up to an additional second twelve months depending on consistency with management objectives and provided that there are no significant impacts to park and or visitor resources.

Initially, the National Park Service will not place a limit on the number of bikes or rentals allowed under the CUA.

Periodically throughout the terms of the CUA the National Park Service will evaluate the impacts and effectiveness of the Bike Rental Operation, including whether the authorized commercial service is meeting visitor needs and park management objectives and whether the operation has adversely affected the park resources. Impacts considered to be adverse could include (among other things) large numbers of abandoned bicycles throughout the park, a substantial increase in vehicle bicycle or bicycle pedestrian conflicts, a substantial increase in injuries resulting directly from the bike rental operation, or damage to natural resources due to the inappropriate use of bicycles.

Based on the evaluations, at any time during the term of the CUA, the National Park Service may adjust the level and conditions of the authorized service considering such factors as the impact to park resources, visitor use demands, safety concerns and other management objectives. **The National Park Service may temporarily or permanently suspend the authorized activity at anytime during the term of the CUA**.

Following the expiration of this initial CUA the National Park Service may choose to manage in-park bicycle rental in one of the following ways: (1) issue another similar competitive CUA for bicycle rental with a term of one or two years; (2) issue a competitive concession contract for bicycle rental with a term of ten years; (3) combine bicycle rental with other visitor services under a concession contract; or (4) discontinue bicycle rental.

The National Park Service will consider management objectives and operational data collected under this CUA to determine the how in–park bicycle rental will be managed in the future.

The successful permittee will not have a preference or non-competitive right to renew or compete for a new opportunity following the expiration of the initial CUA.

Number of CUAs For This Specific Category Is Limited

The National Park Service has determined the number of CUAs for this category of commercial service must be limited to ensure proper management of Grand Canyon National Park's resources and values. The number of available CUAs for this commercial service is one (1).

Multi-Step Selection Process

The multi step selection process outlined in the General Instructions will be used to select the applicants to whom the one available CUA will be issued.

If, after the first step of the selection process, there is more than one Qualifying Application, all Qualifying Applications will be considered in a second step of the selection process. In that second step, Qualifying Applications will be evaluated and their relative qualities assessed, in equal order of relative importance, on the basis of (1) resource protection; (2) visitor safety; (3) past performance; (4) relevant experience; (5) qualifications and experience of key personnel; (6) reasonableness of rates; and (7) applicant's ability to provide a quality visitor service.

(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 of the operations on Grand Canyon Village in particular and Grand Canyon National Park in general and any mitigating measures proposed in the Qualifying Applications.

(2) *Visitor safety*. The National Park Service will evaluate safety programs proposed and any examples provided as a measure of the applicant's plan for and ability to safely prevent and 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.

(6) *Reasonableness of Rates*. The National Park Service will evaluate the reasonableness of the rates proposed in the Qualifying Applications.

(7) *Applicant's ability to provide a quality visitor service*. The National Park Service will evaluate an applicant's overall application, particularly the applicant's Operation Plan, and assess the applicant's ability to meet visitor needs and enhance overall experience.

At the end of the second step of the selection process, the Qualifying Applications will be ranked by the National Park Service in an order that reflects this evaluation and assessment. CUAs then will be issued to the top ranked applicant.

Duration of CUA

The National Park Service will issue the initial CUA for Bicycle Rental Operations at Grand Canyon National Park for one (1) year. The National Park Service may, at its discretion, extend the term of the CUA for up to an additional year.

Where to Submit Applications and Application Fees

Completed applications should be submitted together with all required application fees to the following Concessions Management Office:

Grand Canyon National Park
Attention: Molly Schroer, Concessions Management Specialist
PO Box 129
Grand Canyon, AZ 86023

Deadline for Submission of Applications and Application Fees

Applications and any fees required to accompany the Bicycle Rental Operations CUA application must be submitted so as to reach the Park CUA Program Office **by 4:00 p.m. on February 22, 2010.**

Completing This Form

Please type or print in ink.

Further Instructions and Explanations Regarding Individual Items in the Part 2: Category-Specific Form for Bicycle Rental Operations (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 conditions for bicycle rental operations at Canyon View Information Plaza in Grand Canyon National Park is attached to the Part 2: Category Specific Form. Applicants should review the CUA and initial the block provided in item 2, further indicating their

awareness and acceptance of this provision. 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 (including sending payment of Administrative Fee and Monitoring Fee) 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.