

# National Park Service



## Annual Operations Review

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March, 2008

# WASO Concession Program



## Authorities

Public Law 105-391  
1998 Concessions Management  
and Improvement Act

## Law

36 CFR § 51.44

“right of preference...annual  
evaluations”

## Regulation

## Contracts

Pre-1998 Contracts: Section 2  
Post-1998 Contracts :Section 3

“quality of operation,  
satisfaction of Director,  
OSHA, Public Health”

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## Authorities



*Policy*

**2006  
Management Policies  
10.2.4.3**

“whether to continue or terminate a concession contract ...whether a concessioner is eligible to exercise a right of preference”

*Guidance*

**NPS 48:  
Concession Management**

Superseding  
Memoranda

# WASO Concession Program



## Program References

**Concessioner Review Program**  
Ch. 19, 1995 Memo, 2006 Memo

NPS Concessioner Annual Overall Rating (10-631) [NPS-48, Ch. 19](#)

**Operational Performance Program**  
[NPS-48, Ch. 20](#)

Concession Operational Performance Report (10-629) [NPS-48, Ch. 20](#)

Periodic Concession Evaluations (10-604 – 10-624) [NPS-48, Ch. 21](#)

Risk Management Evaluation (10-628) [Revised NPS-48 Ch.5 1998](#)

Yearend Summary for Public Health Report (10-622a)  
[Revised NPS-48 Ch.21 1996 and 2006 Memo](#)

**Contract Compliance Program**  
[NPS-48, Ch. 22](#)

Superintendent's Annual Concessioner Contract Compliance Report (10-630)

Insurance [NPS-48, Ch. 23](#)

Environmental Management/Compliance (10-631)

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## Reporting Forms

REPORT	FORM #	Concessioner/ Park Files	Region	WASO
NPS Concessioner Annual Overall Rating	10-631	X	X	X
Superintendent's Annual Concessioner Contract Compliance Report	10-630	X	X	X
Concession Operational Performance Report	10-629	X	X	X
Risk Management Evaluation	10-628	X	X	X
Year End Summary for Public Health Evaluations	10-622a	X	X	X
Periodic Concession Evaluation	10-603 -- 624	X		
Periodic Public Health Inspection Reports	NA	X		

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## Inventory and Analysis



Scope

In Fall 2007, WASO initiated a review of the 2005/2006 NPS Concessioner Annual Overall Rating (AOR) reports. This effort mirrored a similar review conducted by the IMR in 2007

What We Did

Read and documented findings in an excel spreadsheet

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Long Term  
Goals  
(Why we  
did it)

- Identify training needs
- Identify issues to make recommendations for updating forms, policy and standards
- Develop consistency in reporting and documentation
- Identify trends across parks/regions as a means for prioritizing resources and training
- Track operational performance as part of Contract Management module of WASO's CDMS
- Collect data for use in contract planning and development of new contract

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## Findings – Overall Compliance / Statistics

- In documenting the concessioner's operational performance and compliance, the majority of parks are using the NPS Concessioner Annual Overall Rating form (10-631); the other evaluation forms are used less consistently
- The AOR's are overwhelmingly Satisfactory (2006 data)
  - 90% Satisfactory
  - 8% Marginal
  - 2% Unsatisfactory

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## Updated Forms – What Is Changing in 2008?



- Electronic forms
- Main changes have occurred to form 10-631 (Annual Overall Rating) and 10-630 (Concessioner Contract Compliance)
- Consistent header across all forms
- Superintendent only needs to sign form 10-631
- Environmental Form (xx-xxx) now required to be filled out and submitted.....

Updates are to make forms more user friendly, and better align them with the 1998 contracts.

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## NPS Concessioner Annual Overall Rating (10-631)

- Discrepancies between AOR and Performance or Compliance
- Visitor Use Statistics
- Environmental Audit status and review comments on Environmental Management Program
- Risk Management Program
- Public Health Program
- BIP/CFIP/Construction/Repair and Maintenance reserve or rehab projects
- PI/LSI
- Accomplishments or outstanding work
- Challenges or issues - how resolved?
- Operational/staffing/hours changes
- Future plans (tickler for next year's report)



UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL  
PARK SERVICE  
NPS CONCESSIONER ANNUAL OVERALL RATING  
FORM 10-631 (Rev 8/89)

Concid:		Date:		Year of Operation:	
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	Satisfactory	Marginal	Unsatisfactory
Operational Performance Rating:			
Contract/Permit Compliance Rating:			
<b>ANNUAL OVERALL RATING DETERMINATION:</b>			
Annual Overall Narrative Assessment and Comments on the Concession Contractual Obligations and Operational Performance for the Year			

Superintendent's Signature		Date Signed:	
Concessioner's Signature (to signify receipt of rating):		Date Signed:	

**Narrative comments are mandatory**

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## Contract Compliance Report (10-630)

- Includes six Special Attention items (\*) which could result in contract termination
  - \*Building and Improvement Program
  - \*Maintenance.
  - \*Utilities.
  - \*Accounting Records and Reports
  - \*Franchise Fee.
  - \*Insurance



COMPLIANCE														
						Yes	No	N/A				Yes	No	N/A
* Denotes "Special Attention" Items														
*	1.	Building and Improvement Program				*	7.	Accounting Records & Rpts						
	2.	Accommodations, Facilities & Services				*	8.	Franchise Fee						
	3.	Plant, Personnel and Rates					9.	Bond and Lien						
*	4.	Maintenance					10.	Assignment						
	5.	Possessory Interest					11.	Subconcession						
*	6.	Utilities				*	12.	Insurance						
CONTRACT/PERMIT COMPLIANCE RATING: (Satisfactory, Marginal, Unsatisfactory)														
Superintendent's Signature														
Concessioner's Signature (To signify receipt of rating)														
CONTRACT/PERMIT COMPLIANCE CHECKLIST														
*1. BUILDING AND IMPROVEMENT PROGRAM (Item 1 of Instructions)												YES	No	N/A
A.	Does the contract contain a building & improvement program?													
B.	If the answer to (A) above is yes,													
(1)	Is any portion of such program applicable to this rating period?													
(2)	If (1) above is yes, have plans and specifications been submitted and approved by the Superintendent?													
(3)	What portion(s) of the building and improvement program has been completed during this													

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## TRAINING Reminders

- Items to Check
  - Concessioner's Signature
  - Superintendent's Signature
  - Franchise Fee payment information
  - AFR due date
  - Insurance exhibits and certificate of insurance
  - 1998 law contract documenting differences on 10-631



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## QUALITY VISITOR SERVICES

- **36 CFR §51.44** *How will the Director determine if a concessioner was satisfactory for purposes of a right of preference?...*The Director will base this determination in consideration of annual evaluations...less than satisfactory for any two or more years of operation under the concession contract.
- When a concession's rating is Unsatisfactory for a given year or Marginal for two consecutive years it constitutes grounds for termination.

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## QUALITY VISITOR SERVICES



- Protection of the park, park property and the safety and welfare of visitors.
- A record for providing the concessioner feedback and tracking performance over the term of the contract.
- Documentation for problems and the concessioner's efforts to cure.

