

Part III

Proposal Package

CC-CALO001-26

Department of the Interior

National Park Service

Cape Lookout National Seashore

**Proposal to Operate Passenger Ferry Service to
the South Core Banks and Shackleford Banks and
Land Transportation on the South Core Banks**

Proposal Submission Terms & Conditions

- 1) The Offeror's Transmittal Letter set forth below indicates your acceptance of the terms and conditions of the concession opportunity as set forth in this Prospectus. It indicates your intention to comply with the terms and conditions of the Contract. **The letter, submitted without alteration, must bear original signatures.** The National Park Service (Service) will review the entire Proposal Package to determine whether your proposal in fact accepts without condition the terms and conditions of this Prospectus. If it does not accept without condition the terms and conditions of this Prospectus, your proposal may be considered non-responsive, even if you submitted an unconditional Offeror's Transmittal Letter.
- 2) The Proposal Package is drafted upon the assumption that an Offeror is the same legal entity that will execute the new concession Contract as the Concessioner. If the entity that is to be the Concessioner is not in existence as of the time of submission of a proposal, or the Offeror was formed recently and has no financial or operating history, the proposal must demonstrate that the individual(s) or entity(ies) (hereinafter Offeror-Guarantor(s)) that intends to establish the entity that will become the Concessioner has the ability and is legally obliged to cause the entity to be financially and managerially capable of carrying out the terms of the Contract. In addition, the Offeror-Guarantor must unconditionally state and guarantee in its proposal that the Offeror-Guarantor will provide the Concessioner with all funding, management, and other resources that the Draft Contract requires, and the proposal offers.

Offeror's Transmittal Letter

Regional Director
Southeast Regional Office
National Park Service
100 Alabama Street S.W., Building 1924
Atlanta, GA 30303

Dear Director:

The name of the Offeror is _____. If the Offeror has not yet been formed, or the Offeror was formed recently and has no financial or operating history, this letter is submitted on its behalf by _____ as Offeror-Guarantor(s), who guarantee(s) all certifications, agreements, and obligations of the Offeror hereunder and make(s) such certifications, agreements and obligations individually and on behalf of the Offeror.

The Offeror hereby agrees to provide visitor services and facilities within Cape Lookout National Seashore in accordance with the terms and conditions specified in the Draft Concession Contract CC-CALO001-26, (Draft Contract) provided in the Prospectus issued by the public notice as listed on the [SAM.gov website](#) and to execute the Draft Contract without substantive modification (except as may be required by the National Park Service pursuant to the terms of the Prospectus and the Offeror's Proposal).

The Offeror is enclosing the required "PROPOSAL" which, by this reference, is made a part hereof.

The Offeror certifies that the information furnished herewith is complete, true, and correct, and recognizes that false statements may subject the Offeror to criminal penalties under 18 U.S.C. 1001. The Offeror agrees to meet all the minimum requirements of the Draft Contract and the Prospectus. The Offeror certifies that it has provided all of the mandatory information specified in the Prospectus.

The Offeror certifies in accordance with applicable law the following (initial all that apply):

- 1) None of the individuals or entities acting as Offeror or with an ownership interest in the Offeror is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from a public transaction by a federal department or agency. _____
- 2) Within the three years preceding submission of the Proposal, none of the individuals or entities acting as Offeror or with an ownership interest in the Offeror has been convicted of, or had a civil judgment rendered against them for, commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction, or for violation of federal or state antitrust statutes or for commission of embezzlement, theft, forgery, bribery, falsification of records, making false statements, or receiving stolen property. _____
- 3) None of the individuals or entities acting as Offeror or with an ownership interest in the Offeror is presently indicted for or otherwise criminally or civilly charged by a federal, state or local unit of the government with commission of any of the aforementioned offenses. _____
- 4) The individuals or entities acting as Offeror or with an ownership interest in the Offeror have not had one or more public transactions (federal, state or local) terminated for cause or default within the three-year period preceding the submission of the Proposal. _____

- 5) The individuals or entities seeking participation in this Concession Contract have not had one or more public transactions (federal, state or local) terminated for cause or default within the three-year period preceding the submission of the Proposal. _____
- 6) If a corporation, the Offeror does not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability. _____
- 7) If a corporation, the Offeror has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months. _____

If the Offeror is unable to certify one or more of the items above, it may sign this transmittal letter and, together with this transmittal letter, must submit detailed information explaining why it is unable to certify the item(s). The information the Offeror must submit includes a description of every incident that prevents the Offeror from certifying the item(s); the current status of each incident; and, if resolved, how each incident was resolved. The Offeror must explain how these incidents may affect the Offeror's ability to fulfill the terms of the Draft Contract.

The Offeror, by submitting this Proposal hereby agrees, if selected for award of the Draft Contract:

- 1) To perform, in a timely and competent manner, the minimum requirements of the Draft Contract as identified in this Prospectus.
- 2) To complete the execution of the final Concession Contract within the time provided by the National Park Service when it presents the Concession Contract to the Offeror for execution.
- 3) To commence operations under the resulting Concession Contract on the effective date of the Concession Contract.
- 4) To operate under the current National Park Service approved rates until such time as amended rates may be approved by the National Park Service.
- 5) *[Include only if the Offeror is not yet in existence or the Offeror was formed recently and has no financial or operating history.]* To provide the entity that is to be the Concessioner under the Draft Contract with the funding, management, and other resources required under the Draft Contract and/or described in our Proposal.
- 6) *[Include only if the Offeror is an entity, rather than an individual]* To deliver to the Regional Director within 10 days following the announcement of the selection of the Offeror as the Concessioner, current copies of the following:
 - Certificate from its state of formation indicating that the entity is in "good standing" (if such form is issued in that state for Offeror's type of business entity);
 - Governing documents of Offeror (e.g., Articles of Incorporation and Bylaws for corporations; Certificate of Formation and Operating Agreement for LLCs; Partnership Agreement for Partnerships; or Venture Agreement for Joint Ventures); and
 - If the business entity was not formed in the State of North Carolina, evidence that it is qualified to do business there.

The Offeror certifies it has uploaded the following documents on the Service's designated Microsoft Teams site using the email address _____:

Document Title	File Name	File Size

Name of Offeror (or Offeror-Guarantor(s)): _____

If the Offeror is not yet in existence as of the time of submission or the Offeror was formed recently and has no financial or operating history, – list all entities if more than one and clearly indicate that the entity is an Offeror-Guarantor. If there is more than one Offeror-Guarantor, each Offeror-Guarantor must sign the Offeror's Transmittal Letter.

BY _____ DATE _____
(Type or Print Name)

Original Signature _____

Title _____

Address _____

Email _____

Phone _____

(End of Offeror's Transmittal Letter)

NOTICES

PRIVACY ACT STATEMENT

Authority: The authority to collect information on the attached form is derived from 54 U.S.C. 1019, Concessions and Commercial Use Authorizations.

Purpose: The purposes of the system are to assist NPS employees in managing the National Park Service Commercial Services program allowing commercial uses within a unit of the National Park System to ensure that business activities are conducted in a manner that complies with Federal laws and regulations and to evaluate offerors who desire to conduct or are conducting business within units of the National Park System.

Routine Uses: In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, records or information contained in this system may be disclosed outside the National Park Service as a routine use pursuant to 5 U.S.C. 552a(b)(3) to other Federal, State, territorial, local, tribal, or foreign agencies and other authorized organizations and individuals based on an authorized routine use when the disclosure is compatible with the purpose for which the records were compiled as described under the system of records notice INTERIOR/NPS-15, Concessions Management Files 48 FR 51696 (November 10, 1983); Modification published 73 FR 63992 (October 28, 2008) and 86 FR 50156 (September 7, 2021). This notice can be found at <https://www.doi.gov/privacy/sorn>.

Disclosure: Providing your information is voluntary, however, failure to provide the requested information may impede the evaluation of your proposal in response to available concession opportunities.

PAPERWORK REDUCTION ACT STATEMENT

We collect this information under the authority of Title IV of the National Parks Omnibus Management Act of 1998 (Pub. L. 105-391). We use this information to evaluate a concession proposal. Your response is required to obtain or retain a benefit. We may not collect or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number. OMB has approved this collection of information and assigned Control No. 1024-0029.

ESTIMATED BURDEN STATEMENT

We estimate that it will take you 1 hour to complete this form, including time to review instructions, gather and maintain data, and complete and review the form. You may send comments on the burden estimate or any aspect of this form to the Information Collection Clearance Officer, National Park Service, 1201 Oakridge Drive, Fort Collins, CO 80525. Please do not send your completed form to this address.

Certificate of Business Entity Offeror

(Or of Offeror-Guarantor)

(Offerors who are individuals should skip this certificate)

I, _____, certify that I am the _____ of the [specify one] corporation/partnership/limited liability company/joint venture named as Offeror (or Offeror-Guarantor, if applicable) herein; that I signed this proposal for and on behalf of the Offeror (or Offeror-Guarantor, if applicable), with full authority under its governing instrument(s), within the scope of its powers, and with the intent to bind the entity.

Name of Entity: _____

by _____ Date _____
(Type or Print Name)

Original Signature _____

Title _____

Address _____

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SELECTION FACTORS

Response Format

- 1) Please number each page and section in your completed proposal. Add information to your proposal only to the extent that it is necessary and relevant to respond to the selection factor. Each page should have a heading identifying the selection factor and subfactor to which the information contained on the page responds. It is important that your response stays within the organizational framework in the Proposal Package and provides all relevant information directly in response to each selection factor. The Service may consider relevant information contained elsewhere in a proposal in assessing the proposal's response to each particular selection factor.
- 2) The evaluation panel will only take firm commitments into account when evaluating proposals. Responses that include terms such as "look into," "research," "may," "if feasible," and similar terms are not considered as firm commitments. In addition, the Service considers responses that include a specific time for commitment implementation as a stronger response. For example, "XXX commits to provide recycling containers in each lodging room by December of 2027."
- 3) Where page limits are set out in the Proposal Package, the Service will not review or consider the information on any pages that exceed the page limitations stated, including attachments, appendices, or other additional materials the Offeror submits. The Service would like to see clear and concise answers. A longer answer will not necessarily be considered a better answer.
- 4) The Service considers text on two sides of one sheet of paper as two pages.
- 5) Offerors must use letter-size paper unless a subfactor asks for schematics or drawings, in which case Offerors may use legal or ledger-size paper for the schematics or drawings. Offerors must use 11- or 12-point font for all text within the proposal, including all tables, charts, graphs, and provided forms. The Service will accept images of sample material with smaller fonts.
- 6) Page margins must be 1 inch. Page numbers and identifications of confidential information may appear within the margins.

NOTICE TO OFFERORS

The Service will consider proposals for non-leasehold-surrender-interest (LSI)-generating improvements or additions to Concession Facilities (as defined in the Draft Contract), and proposals for improvements or additions to, furnishings, employee and visitor amenities, and other Concessioner-owned personal property.

The Service will not consider proposals for new construction or major rehabilitation unless the new construction or major rehabilitation is either a necessary part of the required Concession Facilities Improvement Program (CFIP), or the Offeror voluntarily proposes and agrees to waive its rights to LSI associated with the new construction or major rehabilitation.

The Service may consider proposals that describe detailed Offeror commitments that enhance the CFIP as defined in the Draft Contract but will not consider proposed alterations to the scope of the CFIP as defined in the Draft Contract. The Service will consider proposals that assume LSI in proposed fixture replacement(s). For a current list of LSI fixtures See: [LSI Fixture Table \(nps.gov\)](#).

In Principal Selection Factor 4, you need to include any investments required to realize the strategies outlined in response to the selection factors.

Principal Selection Factor 1. The responsiveness of the proposal to the objectives, as described in the prospectus, of protecting, conserving, and preserving resources of the Park. **(0-5 points)**

Service Objectives:

The Service objectives under this factor are to preserve, conserve, and protect natural and cultural Park resources. The Service is interested in ensuring that the Concessioner demonstrates an understanding of the environmental management responsibilities, as visitor services required under the Draft Contract have the potential to impact Park resources both in the water and on land.

Subfactors

Subfactor 1(a). Protect, Conserve and Preserve Natural and Cultural Park Resources

Describe your best management practices to protect, conserve, and preserve natural Park resources, keeping in mind the ferries will traverse sensitive coastal waters and the land-based transportation service will be in proximity of cultural resources on the South Core Banks.

Limit your response to no more than 3 pages for Subfactor 1(a).

Subfactor 1(b). Informing Staff and Park Visitors of Cultural and Natural Resources

Describe how you will ensure concession staff and Park visitors are educated about the Park's mission. In particular, explain:

- 1) How Concessioner staff will be made aware of the importance of protecting, conserving, and preserving the natural and cultural resources of the Park.
- 2) How the visiting public will be made aware of the importance of protecting, conserving, and preserving the natural and cultural resources of the Park, including Park rules and regulations relating to protecting and preserving natural and cultural resources.

Limit your response to no more than 3 pages for Subfactor 1(b).

Principal Selection Factor 2. The responsiveness of the proposal to the objectives, as described in the prospectus, of providing necessary and appropriate visitor services at reasonable rates. **(0-5 points)**

Service Objectives:

The Service's main objective regarding the visitor services required by the Draft Contract is for the Concessioner to provide the highest quality necessary and appropriate services for the price paid by the visitor.

Park Objective

The Park's objective is to ensure the Concessioner provides high-quality visitor services in a safe and responsible manner. Though there are many factors that are important in meeting this objective, the Service has chosen to focus on the following areas:

- 1) Vessels used to provide ferry services
- 2) Delivery of ferry services and operations
- 3) Vehicles used to provide land transportation services
- 4) Reservations and ticketing
- 5) Customer service, complaint resolution, and website

Subfactors

Subfactor 2(a). Vessels Used to Provide Ferry Services

The ferry is expected to be the primary concession service under the Draft Contract, generating the largest share of total revenue and demand. While overall summer averages are much lower, on peak weekend days, up to 300 visitors may board ferries from Harkers Island to the South Core Banks.

The Service would like to provide the Concessioner some degree of flexibility in selecting the type and configuration of vessels used to provide these services, within Service defined parameters. To effectively support these projected passenger loads, under the Draft Contract, at a minimum, two mid-size boats and one smaller boat are required to provide ferry service from Harkers Island to the South Core Banks for a total of three boats. One of these three vessels may be used as a backup vessel. Although not required, additional vessels may be used for these operations with the Superintendent's approval. Offerors may describe additional backup vessels, although doing so is not required and will not result in a higher score.

If the Offeror proposes to purchase vessels owned by the outgoing concessioner or any other vessels post-award, those vessels must conform to the requirements specified in the Prospectus and Draft Contract and must be similar in type to those proposed. Any substitutions must be approved in writing by the NPS. Offerors are encouraged to state in their proposal if they intend to purchase such vessels. Offeror may include information about any interim vessels that will be used during the transition period.

For each vessel that the Offeror intends to use, the Offeror must provide commitment letters from the seller or manufacturer for the vessels intended to be purchased, leased, or built. Vessels must be in place within 18 months of the effective date of the contract.

Interim vessel(s) must be used while the permanent vessels are being acquired or built and must have the capacity for at least 83 passengers in total. Only three slips are available for the concessioner to use at the Harkers Island NPS marina. Concessioners may moor additional vessels in the water away from the NPS marina during operational hours but not overnight. In addition to the permanent vessels, describe the interim vessel(s) you will use.

The two mid-size vessel must:

- 1) Safely accommodate a minimum of 35 passengers
- 2) Meet Americans with Disabilities Act (ADA) requirements for both loading at the departure site and off-loading at the Park using either docks or the shore
- 3) Meet minimum applicable United States Coast Guard (USCG) Safety Standards

The one smaller vessel must:

- 1) Safely accommodate a minimum of 13 passengers
- 2) Meet Americans with Disabilities Act (ADA) requirements for both loading at the departure site and off-loading at the Park using either docks or the shore
- 3) Meet minimum applicable United States Coast Guard (USCG) Safety Standards

Describe the following for all the vessels you plan to utilize, including interim vessel(s), to provide the required ferry services (including any backup vessels that are used):

- 1) Vessel make (fabricator), model, and year vessel built; provide schematic plans and photos
- 2) Vessel dimensions, weight, and vessel minimum and fully loaded draft
- 3) Vessel capacity (based on U.S. Coast Guard Certificate of Inspection) (For proposed vessels not yet built, provide documentation that they will be constructed in accordance with U.S. Coast Guard requirements.)
- 4) Vessel minimum, maximum, and predicted normal operating speeds
- 5) Fuel consumption rate (i.e., gallons) and emissions rate (i.e., grams of hydrocarbon and carbon monoxide) per mile at predicted normal operating speeds
- 6) Propulsion equipment (i.e., engine type, size, fuel, number of engines)
- 7) Vessel amenities for passenger convenience, comfort, and safety (i.e., sun, water, and wind protection), camper storage, number of interior and exterior seats, communications equipment)

Describe how the proposed vessels are ideally suited to operate in the Park's specific marine environment (i.e., shallow and often turbulent waters).

Limit your response to 6 pages for Subfactor 2(a), not including graphics, schematics, photos, or commitment letters.

Subfactor 2(b). Delivery of Ferry Services and Operations

The Draft Contract requires that the Concessioner operate from the ferry departure site located at the Harkers Island Park Headquarters Boat Basin.

Describe your concept of operations that addresses each of the following:

- 1) Description of the visitor flow from arrival to boarding the vessel
- 2) Boarding procedures such as ramp placement, ticket check, and visitor assistance
- 3) Concession supplied signage necessary to inform the visitor of services provided

Provide a proposed schedule for the required ferry services that meets or exceeds the minimum levels of ferry service specified in Exhibit B (Operating Plan) and describe how you will handle instances where visitor demand for ferry service exceeds vessel capacity for scheduled trips.

Describe your routine and ongoing repair and maintenance schedule and how you will maintain visitor service during periods that the Concessioner's vessel(s) are out of service.

Limit your response to no more than 6 pages for Subfactor 2(b), not including graphics, schematics, or photos.

Subfactor 2(c). Vehicles Used to Provide Land Transportation Services

A main Service objective for land transportation is to provide visitors with the ability to travel around the Lighthouse Area and to other areas within the South Core Banks in reasonable comfort and at a reasonable cost. During peak periods, there may be up to 100 passengers utilizing this service. Under the Draft Contract the Concessioner will be required, at a minimum, to use two vehicles to provide land transportation originating from the Cape Lookout Lighthouse Area. Detachable trailers or additional vehicles may be used to help provide this service. For vehicles and/or trailers that are to be built or not yet acquired, Offerors must provide the information based on the expected specifications of those vehicles, supported by documentation from the manufacturer or vendor showing they are expected to meet all contract requirements.

Each of the land vehicles must:

- 1) Meet Americans with Disabilities Act (ADA) requirements for loading and unloading passengers
- 2) Be able to safely operate on sandy beaches and unimproved sand routes

Describe the following for all the vehicles and trailers you plan to utilize to provide the required land transportation services:

- 1) Vehicle/trailer make (fabricator), model, and year; provide schematic plans and photos
- 2) Vehicle/trailer dimensions and weight
- 3) Vehicle/trailer capacity
- 4) Vehicle minimum, maximum, and predicted normal operating speeds
- 5) Fuel consumption rate (i.e., gallons) and emissions rate (i.e., grams of hydrocarbon and carbon monoxide) per mile at predicted normal operating speeds
- 6) Vehicle/trailer amenities for passenger convenience, comfort, and safety (i.e., sun and wind protection), camper storage, number seats, communications equipment)

Describe how passengers with limited mobility will be accommodated when they board at the Lighthouse Area and when they disembark and re-board along the route.

Limit your response to 3 pages for Subfactor 2(c), not including graphics, schematics, or photos.

Subfactor 2(d). Reservations and Ticketing

It is important the Concessioner implement an efficient reservation and ticketing system. Refer to the Operating Plan for more detail and specifications regarding reservation and ticketing requirements.

Describe the reservation and ticketing system you intend to use for the ferry and land transportation operation. At a minimum, describe the following:

- 1) How your sales system will provide convenient ticketing and reservations for visitors, particularly during periods of heavy use.
- 2) The design of the internet site including security features and ease of use.

Describe how group reservations (i.e, tours, buses, schools) will be managed while not adversely affecting regular service.

Limit your response to 3 pages for Subfactor 2(d), not including graphics, schematics, or photos.

Subfactor 2(e). Customer Service, Complaint Resolution, and Website

Describe how you will provide the following:

- 1) Courtesy, appearance, and professionalism of employees
- 2) Resolution of complaints and timely responses to questions
- 3) Website and other sources of information

Limit your response to 3 pages for Subfactor 2(e), not including graphics, schematics, or photos.

Principal Selection Factor 3. The experience and related background of the Offeror, including the past performance and expertise of the Offeror in providing the same or similar visitor services as those to be provided under the concession contract. **(0-5 points)**

Note to Offeror: To assist the Service in the evaluation of proposals under this and other selection factors, provide the following information regarding the organizational structure of the business entity that will execute the Draft Contract. This organizational structure information will not be scored for selection purposes but may be used for assessing responses to various selection factors. If the Offeror is not yet in existence, or the Offeror was formed recently and has no financial or operating history, the Offeror-Guarantor(s) should describe its own experience and explain how such experience will carry over to the Offeror entity.

Offeror's Organizational Structure

Describe the entity with which the National Park Service will contract, specifying whether it is currently in existence or is to be formed. Clearly explain and define the Offeror's relationship to any related entities that will affect how the Offeror will perform under the Draft Contract. Identify the entity, if other than the Offeror, that has the authority to allocate funds, and hire and fire management employees, of the Offeror. Identify any individual or business entity that holds or will hold a controlling interest in the Offeror. If the Offeror is an unincorporated sole proprietorship, identify and provide information about the individual who owns and operates the business. If the Offeror is a limited liability company, a partnership, or a joint venture, identify and provide information about each managing member or manager, general partner or venturer, respectively.

Submit your organizational documents (e.g., partnership agreement, articles of incorporation, operating agreement).

Using the appropriate Business Organization Information form (as applicable) at the end of this Principal Selection Factor 3, identify the Offeror and each business entity and/or individual to be involved in the management of the proposed concession operation. Use the form appropriate for your business entity or sole proprietorship and include all information necessary to make the relationship among the parties clear. When completed, the Business Organization Information form should convey the following information:

- 1) The full legal name of the Offeror and any trade name under which it proposes to do business.
- 2) The legal form of the Offeror, if other than an individual.
- 3) The name, address and, if applicable, form of business entity of all owner(s) of the Offeror, including, the precise extent of their ownership interests.
- 4) The name, address and, if applicable, form of business entity of all related business organizations and/or individuals that will have a significant role in managing, directing, operating, or otherwise carrying out the services to be provided by the Offeror. Describe in detail how these relationships will work formally and in practice. Use additional pages if the information does not fit within the forms provided.
- 5) If applicable, the length of Offeror's existence as a business entity.

If the Offeror is not yet formed or the Offeror was formed recently and has no financial or operating history, submit a Business Organization Information form for each Offeror-Guarantor.

Subfactor 3(a). Operational Experience

Describe one example of the Offeror's experience operating and managing services similar to those required by the Draft Contract (passenger ferry service from Harkers Island to the South Core Banks and Shackleford Banks and land transportation originating from the Cape Lookout Lighthouse area on the South Core Banks). Each Offeror must clearly identify and describe how each example addresses the ferry and land transportation services. The Service prefers examples that demonstrate experience within the last five years. Experience that includes strong passenger ferry service experience and minimal land transportation experience is a better response than minimal passenger ferry service experience and strong land transportation experience.

If the Offeror is not yet in existence or was recently formed with no financial or operating history, or the Offeror relies on the experience of a related entity (such as its parent company or a subsidiary of its parent company), explain how such experience will carry over to the Offeror directly and how that entity's experience will benefit the Offeror's operations.

For each example, provide the following information:

- 1) Name and location of operation
- 2) Nature and tenure of the Offeror's involvement, status of business (e.g., owned and operated by Offeror, sold, open but no longer operated by Offeror, closed, etc.)
- 3) Time frame of experience, with dates
- 4) Description of services provided
- 5) Annual gross receipts, by department (passenger ferry and land transportation), for the most recent year/season of operation in which the Offeror was involved with the business
- 6) Operating season, hours of operation, and seasonal adjustments that were made to include any changes to operations during non-peak seasons
- 7) Number of employees: full-time employees, part-time employees, and seasonal employees, segregated by peak and off-peak season
- 8) Recognition or awards received for providing the service
- 9) Any special operating conditions or challenges (e.g., remote location, extreme environment or weather conditions, employee retention)
- 10) Current status of business (still owned and operated, sold, open but operated by another entity, closed, etc.)

Also, submit the following for the passenger ferry service examples:

- 1) Number of vessels
- 2) Passenger vessel capacities
- 3) Service volume to include annual number of trips and passengers and average daily number of departures
- 4) Scope of services offered and description of routes
- 5) Brief description of tours, interpretive programs, and services offered
- 6) Amenities

Also, submit the following for the land transportation service examples:

- 1) Number of vehicles
- 2) Passenger vehicle capacities
- 3) Service volume to include annual number of trips and passengers and average daily number of departures

- 4) Scope of services offered and description of routes
- 5) Brief description of tours, interpretive programs, and services offered
- 6) Amenities

Limit your response to no more than 4 pages for Subfactor 3(a).

Subfactor 3(b). Violations or Infractions

The Service is aware that any business may receive the occasional notice of violation, penalty, fine, less than satisfactory public health rating, or similar regulatory notice from a federal, state, or local agency (hereinafter collectively referred to as "Infractions"). The Service is interested in understanding how your business manages these Infractions and your overall strategy to minimize Infractions. In responding to this subfactor, you should consider all of the examples you provided for Subfactor 3(a).

Related Entities. In responding to this subfactor, consider the Offeror and all of its principals (for corporations, their executive officers, directors, and controlling shareholders; for partnerships, their general partners; for limited liability companies, their managing members and managers, if any; and for joint ventures, each venturer) and all parent entities, subsidiaries, or related entities under the primary organizational entity (such as, a parent corporation and all subsidiaries), that provide the same or similar services as required or authorized by the Draft Contract.

Please note, the Service may consider other official, publicly available information when reviewing your response.

Using not more than **five (5) pages**, including text, pictures, and graphs, demonstrate your understanding of the Service's concern.

- 1) Describe all Infractions that have occurred in your operations in the past five years that are related to the same or similar services as required or authorized by the Draft Contract. If your response to Principal Selection Factor 3(a) included operations no longer controlled by the Offeror, Offeror-Guarantor, or a Related Entity, you must also describe all Infractions that have occurred in the past five years in those operations when the Offeror, Offeror-Guarantor, or a Related Entity controlled the operation.
- 2) Explain how you responded to each Infraction, including actions you took to prevent a recurrence of the Infraction.

Using not more than **three (3) pages**, including text, pictures, and graphs, provide the following information:

- 1) List, by name, the Related Entities (as defined above) you considered in providing the foregoing information.
- 2) Describe your overall strategy to minimize Infractions and how you resolve, or plan to resolve, Infractions when they do occur.

Subfactor 3(c). Employee Recruitment, Training and Retention Experience

Describe the employee recruitment, training, and retention experience of the Offeror, the Offeror-Guarantor(s) if the Offeror is not yet in existence, or a related entity if the Offeror relies on the experience of said related entity. Include the following in your description:

- 1) Provide the minimum qualifications (e.g., years of experience, certifications, ability to interact with visitors, knowledge of the park environment) required for the operations manager and vessel captain(s). Do not submit resumes or describe the qualifications of specific individuals.
- 2) Explain how you will recruit and retain all staff.
- 3) Provide two examples of staffing challenges you have successfully addressed to substantiate your experience.
- 4) Detail your staff training program, customer service, and professionalism.

Limit your response to no more than 3 pages for Subfactor 3(c).



BUSINESS ORGANIZATION INFORMATION
Corporation, Limited Liability Company, Partnership, or Joint Venture
(Principal Selection Factor 3)



Note: Either a Form 10-357A or Form 10-357B is completed for each proposal, depending on the nature of ownership of the company.

Complete separate form for the submitting business entity and any and all parent entities.

Name of Individual and Tradename, if any	
Address	
Telephone Number	
Fax Number	
Email Address	
Contact Person	
Title	
Tax ID #	
State of Formation	
Date of Formation	

Ownership	Percentage of Ownership Interests	Current Value of Investment
Names and Addresses of those with controlling interest and key principals of business		

Total Interests Outstanding and Type(s):		
--	--	--

Officers and Directors or General Partners or Managing Members or Venturers	Address	Title and/or Affiliation

Attach the following:

- Description of relationship of any Offeror-Guarantor to the Offeror with respect to funding and management.

NOTICES

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Purpose: The purposes of the system are to assist NPS employees in managing the National Park Service Commercial Services program allowing commercial uses within a unit of the National Park System to ensure that business activities are conducted in a manner that complies with Federal laws and regulations and to evaluate offerors who desire to conduct or are conducting business within units of the National Park System.

Routine Uses: In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, records or information contained in this system may be disclosed outside the National Park Service as a routine use pursuant to 5 U.S.C. 552a(b)(3) to other Federal, State, territorial, local, tribal, or foreign agencies and other authorized organizations and individuals based on an authorized routine use when the disclosure is compatible with the purpose for which the records were compiled as described under the system of records notice INTERIOR/NPS-15, Concessions Management Files 48 FR 51696 (November 10, 1983); Modification published 73 FR 63992 (October 28, 2008) and 86 FR 50156 (September 7, 2021). This notice can be found at <https://www.doi.gov/privacy/sorn>.

Disclosure: Providing your information is voluntary, however, failure to provide the requested information may impede the evaluation of your proposal in response to available concession opportunities.

PAPERWORK REDUCTION ACT STATEMENT

We collect this information under the authority of Title IV of the National Parks Omnibus Management Act of 1998 (Pub. L. 105-391). We use this information to evaluate a concession proposal. Your response is required to obtain or retain a benefit. We may not collect or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number. OMB has approved this collection of information and assigned Control No. 1024-0029.

ESTIMATED BURDEN STATEMENT

We estimate that it will take you 1 hour to complete this form, including time to review instructions, gather and maintain data, and complete and review the form. You may send comments on the burden estimate or any aspect of this form to the Information Collection Clearance Officer, National Park Service, 1201 Oakridge Drive, Fort Collins, CO 80525. Please do not send your completed form to this address.



BUSINESS ORGANIZATION INFORMATION
Individual* or Sole Proprietorship
(Principal Selection Factor 3)



Note: Either a Form 10-357A or Form 10-357B is completed for each proposal, depending on the nature of ownership of the company.

Complete separate form for the submitting business entity and any and all parent entities.

Name of Individual and Tradename, if Any**	
Address	
Telephone Number	
Fax Number	
Email Address	
Contact Person (if other than the Offeror)	
Tax ID #	
Years in Business (of same type as required service(s))	
Current Value of Business	
Role in Providing Concession Service(s)	

* Due to difficulties determining authority to act and ownership, the Service will not accept a proposal from spouses jointly as a purported business entity. Either one individual must serve as the Offeror or the spouses must form a corporation, partnership, or limited liability company to serve as Offeror.

**If the sole proprietorship acts under a name other than that of its owner (i.e., does business as "company name"), also add the jurisdiction where the company's trade name is registered, if any.

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Principal Selection Factor 4. The financial capability of the Offeror to carry out its proposal. **(0-5 points)**

How to respond to Principal Selection Factor 4: The Offeror should provide the information requested with the goal of clearly demonstrating that it has the financial capability to carry out its proposal. If any of the financial information provided is adverse, the Offeror should explain why and describe how it addressed any issues. If funding will be provided by any individuals or entities, clearly and succinctly explain how the funding will be transferred from those sources to the Offeror, including, if applicable, how it moves from various levels of superior or related entities to the Offeror.

If the Offeror is not yet in existence or the Offeror was formed recently and has no financial or operating history, please state this, and provide the information described below for each Offeror-Guarantor as identified in the Offeror's Transmittal Letter. Additionally, if the Offeror (or Offeror-Guarantor) anticipates that any individual or entity will provide financial assistance to the Offeror during the term of the Contract (e.g., for start-up costs or investments), please state this, and provide the information described below for each such individual or entity. Failure to provide the required documentation may lead to the National Park Service determining your offer is non-responsive and ineligible for award of the Draft Contract.

The Offeror must complete and submit all forms provided here and as appendices, including the Excel workbook and other documentation.

A table is provided at the end of Principal Selection Factor 4 that summarizes the forms and documentation you must submit per the following detailed instructions.

The Service will score Principal Selection Factor 4 based upon the entirety of your response to the instructions below. The instructions are numbered for organizational purposes.

1. Demonstrate a credible, proven track record of meeting financial obligations by providing the following:

Identify the Offeror, or each Offeror-Guarantor if applicable, and any individual or entity other than an accredited financial institution that will provide funding to the Offeror during the term of the Contract (for start-up costs, investments, etc.).

For each individual or entity identified above, provide:

- The completed **Business History Information** form provided at the end of this section.
- A **complete credit report** dated within six months of the date of the proposal. The report must include scores and narratives, and you must submit the full report, not a screenshot of a specific score or specific section of the report. The report must be from a major credit reporting company such as Equifax, Experian, TransUnion, or Dun & Bradstreet. If the Offeror is not yet formed, include a credit report for each Offeror-Guarantor. An unavailability of scores from one major credit reporting company does not eliminate your responsibility to provide a complete credit report with scores. If an entity is a partnership or joint venture, a complete credit report must be provided for all general partners in a partnership (or deemed partnership, such as husband and wife), and all venturers in a joint venture.

2. Demonstrate your business experience and financial capability by providing the following:

For the Offeror, or each Offeror-Guarantor if applicable, and any individual or entity other than an accredited financial institution that will provide funding to the Offeror during the term of the

Draft Contract (for start-up costs, investments, etc.) provide audited financial statements (including all notes to the financial statements) for the two most recent fiscal years.

If audited financial statements are not available, explain in detail why they are not available and submit reviewed financial statements.

If neither audited nor reviewed statements are available, explain in detail why they are not available and submit compiled financial statements.

If audited, reviewed, or compiled financial statements are not available, explain in detail why they are not available and submit financial statements to which an authorized officer of the entity or the submitting individual, as applicable, attests to the accuracy and completeness of the financial statements.

If none of the financial statements listed above are available, explain why in detail and submit personal financial statements to which the submitting individual attests to their accuracy and completeness. If personal financial statements are provided for an entity, submit these for each of the entity's principals.

Note: Financial statements must be provided for all general partners in a partnership (or deemed partnership, such as husband and wife), and all venturers in a joint venture.

Additionally, if more than three months have elapsed since the end of the most recent fiscal year included in the financial statements, provide interim financial statements (at minimum, a balance sheet and income statement) that are dated within 10 weeks of the proposal due date for each Offeror, each Offeror-Guarantor, and any individual or entity (other than an accredited financial institution) providing funding to the Offeror during the term of the Contract (for startup costs, investments, etc.). The Service understands these interim financial statements are not likely to be audited or reviewed; the above-listed individuals or entities should state that the financial statements are compiled or have an authorized officer of each entity or the submitting individual, as applicable, attest to the accuracy and completeness of the interim financial statements.

If any of the above-listed individuals' or entities' financial position has substantially changed from the most recent fiscal year, provide a narrative to help the Service understand any changes to their financial position.

3. Demonstrate that your proposal is financially viable and that you understand the financial obligations of the Draft Contract by providing your projection on the following forms in the provided Excel workbook:

- *Investments and Investments Assumptions* forms:
 - Fully explain the methodology and the assumptions used to develop the estimates for the line items included in the Total Initial Investment and Start-up Expenses of the business. The information provided (both estimates and assumptions) should include sufficient detail to allow a reviewer to understand how you determined the estimates.
 - If you are the Existing Concessioner and do not anticipate any additional initial investment or start-up costs, please provide the value of your existing assets in the appropriate section and state that you consider the current personal property and assets adequate to operate this concession opportunity successfully.
- *Income Statement, Income Statement Assumptions, Operating Assumptions, Cash Flow Statement, Cash Flow Statement Assumptions, Recapture of Investment, and Recapture of Investment Assumptions* forms:

- Use the forms to provide estimates of prospective revenues, expenses, and cash flows of the concession business for the entire term of the Draft Contract. Use the forms to explain your financial projections and assumptions that support your financial projections.
- Include the recapture amount and assumptions you expect at the end of the Contract in the *Cash Flow Statement*, *Cash Flow Statement Assumptions*, *Recapture of Investment*, and *Recapture of Investment Assumptions* forms and not the *Income Statement* form.

Below are general notes regarding the provided forms found in the Excel workbook included as an Appendix to the Prospectus.

- The Service has provided forms that request the information in the required format. These forms may differ from the format and requirements set forth in generally accepted accounting principles (GAAP) or generally accepted auditing standards (GAAS). The Service does NOT request that the information provided on these forms be reviewed in accordance with GAAS.
- Do not add or eliminate rows or columns on the Excel forms provided. If you wish to provide additional financial information, do so in additional spreadsheets, outside of the ones provided. If additional financial information is provided, clearly explain how it rolls up or applies to the provided forms.
- Provide a clear and concise narrative explanation of the method(s) used to prepare the estimates and the assumptions on which your projections are based. Provide sufficiently detailed and complete information to fully explain how you determine your estimates. If you make commitments in other sections of your proposal, please clearly account for the related expenses or investments for those commitments in the appropriate form in the Excel workbook; you may include an additional spreadsheet that identifies these specific commitments and where you account for the investment in your proposal. The Service will not evaluate expanded or additional commitments related to a response to another selection factor that exceed the page limits for that response. Include the cost amounts for the Concession Facility Improvement Program (CFIP), deferred maintenance (DM), and other significant investments in these forms so the Service understands how you intend to fund the investments.

4. Demonstrate your ability to obtain the funds necessary to operate under the Contract by providing the following:

Explain how you will fund the initial investment, including start-up costs, and additional investments (e.g., CFIP, PPIRs, CRR, DM) required throughout the term of the Contract.

Note: The financial arrangements you propose here should be reflected in your responses on the forms in the provided Excel workbook.

If funding is provided from another level of your organization, such as a parent or related entity, clearly explain how funding transfers from each level and ultimately to the Offeror and obtain clear commitments, as evidenced through the documents requested below, at each level. If the Offeror is obtaining even a portion of the necessary funds from another individual or entity, including accredited financial institutions, the Service must be able to determine from the documents submitted that the Offeror is highly likely to obtain either the stated amount, or an amount in excess of the stated amount, from an individual or entity with sufficient financial capability to provide the funds. The documentation requested below is intended to help the Service clearly reach this determination.

The more definite the terms stated in the documentation and the more comprehensive the documentation, the more likely the Service is to find the Offeror's ability to obtain the required funds credible.

- a) If you will use funds from cash on hand or operating cash flows from the Offeror's current business, document and provide sources and proof of the availability of these funds. At a minimum, provide the information requested under each bullet point.
- Provide current (no more than 30 days prior to the proposal due date) financial institution documents (including investment accounts) that verify the accounts and account balances to provide proof of the available funding. Financial institution account statements must include the name of the account holder and a date.
 - Provide a statement from the Offeror stating that funds are available and not committed to other sources.
 - Provide a list of assets to be sold and their anticipated value (if applicable).
 - If information provided in your financial statements or financial institution account statements contradict the appearance of available funds, provide additional narrative to explain how funding will be available from cash on hand or operating cash flows from the existing business by the effective date of the Draft Contract. Include an explanation of how you will meet your financial obligations under the Draft Contract should these assumptions fail to occur.
- b) If an accredited financial institution will provide funding, provide supporting information including, but not limited to, documents that describe the approximate amount of the loan(s) and whether the loan(s) will result in an encumbrance requiring Service approval under 36 C.F.R. § 51.86.¹ Additionally, provide the following information:
- Include a commitment letter (addressed to the National Park Service from the financial institution on the financial institution's letterhead and dated no more than 30 days prior to the proposal due date) stating the amount of funds that have been or will be made available to the Offeror. The letter must outline the financial institution's historical relationship with the Offeror. Specifically, the financial institution should provide the following information: number of years of the relationship; description and amount of all credit facilities extended to the Offeror along with the Offeror's average annual outstanding balance and current outstanding balance; current account balance; and statement of whether the Offeror has met all obligations with the financial institution as required and other conditions required for the financial institution to provide the Offeror the funds.
- Note: The more definite the terms provided in the documentation of the potential loan or financial arrangement, the more likely the Service will be to find the Offeror's ability to obtain the required funds credible.
- c) If an Offeror-Guarantor, individual, or entity other than an accredited financial institution will provide funding, provide the information requested under each bullet point for each individual or entity providing funding. If funds will be obtained from an Offeror-Guarantor, individual, or entity whose primary fund source is an individual, provide the information requested under each bullet point with respect to such individual. If funds will be obtained from another source (e.g., an entity whose

¹ If the loan or financial arrangement will result in an encumbrance requiring Service approval under 36 C.F.R. § 51.86, and the Offeror is selected for award of the Draft Contract, then the Offeror will be required to submit to the Service a separate package seeking approval of the encumbrance.

primary fund source is not an individual), provide the information requested under each bullet point for each source:

- Provide current (no more than 30 days prior to the proposal due date) financial institution documents (including investment accounts) that verify the account(s) and account balance(s) to provide proof of the available funding. Financial institution account statements must include the name of the account holder and a date.
- Provide a statement from the account holder stating that funds are available and not committed to other sources.
- Include a commitment letter from the funding source stating the approximate amount of the financial assistance, the terms of the financial arrangement (if a loan, provide the information requested under 4.b), and whether the arrangement will result in an encumbrance requiring Service approval under 36 C.F.R. § 51.86.
- Provide a list of assets to be sold and their anticipated value (if applicable).
- Provide any other assurances or documents that demonstrate that the funds are available, including documentation from independent sources.
- If information provided in the financial statements or financial institution account statements contradict the appearance of available funds, provide additional narrative to explain how funding will be available from cash on hand or operating cash flows from the existing business by the effective date of the Draft Contract. Include an explanation of how you will meet your financial obligations under the Draft Contract should these assumptions fail to occur.

Principal Selection Factor 4 Instructions Summary Table

The following table summarizes the forms and documentation you must submit in responding to Principal Selection Factor 4.

Documents	Submit for Offeror?	Submit for Offeror-Guarantor(s) (if any)?	Submit for Other Individuals or Entities Providing Funding (if any)?**
Business History Information Form	Yes*	Yes	Yes
Complete Credit Report	Yes*	Yes	Yes
Financial Statements	Yes*	Yes	Yes
Interim Financial Statements (if necessary)	Yes*	Yes	Yes
Proformas (using the Excel workbook forms provided)	Yes	Not applicable	Not applicable
Current Financial Institution Account Statements	Yes*	Yes	Yes
Signed commitment letters from individuals or entities (including financial institutions) that will provide funding	Yes (if applicable)	Yes (if applicable)	Yes (if applicable)
List of assets to be sold and their anticipated value	Yes (if applicable)	Yes (if applicable)	Yes (if applicable)
Narratives to support, clarify, or expand on the financial information provided	Yes	Yes	Yes

*Unless the Offeror is not yet in existence or was formed recently and has no financial or operational history.
Please state if there is no financial or operational history for the Offeror.

**Other than accredited financial institutions.



**BUSINESS HISTORY INFORMATION FORM
PROPOSAL PACKAGE
CC-CALO001-26
(Principal Selection Factor 4)**



Business history information should be provided for the Offeror or Offeror-Guarantor(s) AND any individual or entity other than an accredited financial institution that will provide financial or management assistance.

The information provided below is for the following individual or entity: _____

- (1) Has the individual or entity ever defaulted from or been terminated from a management or concession contract, or been forbidden from contracting by a public agency or private company?

☐ YES

☐ NO

If YES, provide full details of the circumstances.

- (2) List any bankruptcies, receiverships, foreclosures, transfers in lieu of foreclosure, and work-out/loan modification transactions during the past five years. Include an explanation of the circumstances, including nature of the event, date, type of debt (e.g., secured or unsecured loan), type of security (if applicable), approximate amount of debt, name of lender, resolution, bankruptcy plan, and/or other documentation as appropriate. If none, check the box below. Otherwise, provide full details below.

☐ NONE

- (3) Describe any pending litigation or administrative proceeding (other than those covered adequately by insurance) which, if adversely resolved, could materially impact the financial position of the individual or entity. If none, check the box below. Otherwise, provide full details below.

☐ NONE

- (4) Describe any lawsuit, administrative proceeding or bankruptcy case within the past five years that concerned the individual or entity's alleged inability or unwillingness to meet its financial obligations. If none, check the box below. Otherwise, provide full details below.

☐ NONE

- (5) Describe any liens recorded against the individual or entity within the past five years (whether from taxing authorities or judgments) and, if resolved, provide a copy of any lien release. If none, check the box below. Otherwise, provide full details below.

☐ NONE

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Principal Selection Factor 5. The amount of the proposed minimum franchise fee and other forms of financial consideration to the Director. **(0-4 points)**

The minimum franchise fee acceptable to the Service is as follows:

- 8.5% of gross receipts for annual gross receipts from \$0 to \$2,300,000; plus
- 15.5% of gross receipts for annual gross receipts greater than \$2,300,000

The offer of a higher franchise fee than this minimum is generally beneficial to the Service and accordingly will generally result in a higher score under this selection factor; however, consideration of revenue to the United States is subordinate to the objectives of protecting, conserving, and preserving resources of the park area and of providing necessary and appropriate visitor services to the public at reasonable rates.

State the amount of franchise fee you propose for each tier in the chart below. Such fee must be at least equal to the minimum franchise fee (see above) for that tier and expressed as a percentage of annual gross receipts.

Do not propose additional tiers and do not change the gross receipts thresholds of each tier.

Gross Receipts Tier	Minimum Franchise Fee Required (% of Annual Gross Receipts)	Proposed Franchise Fee (% of Annual Gross Receipts)
\$0 to \$2,300,000	8.5%	
Greater than \$2,300,000	15.5%	

Secondary Selection Factor 1. The quality of the Offeror's proposal to conduct its operations in a manner that furthers the protection, conservation, and preservation of the Park and other resources through environmental management programs and activities, including, without limitation, energy conservation, waste reduction, and recycling. **(0-3 points)**

Describe how you will reduce, remove, recycle, and reuse solid waste (e.g., disposable packaging) and materials generated and used by passengers and staff of the passenger ferry and land transportation services.

Limit your response to 2 pages for Secondary Selection Factor 1, not including graphics, schematics, or photos.

Secondary Selection Factor 2. The ability and expertise of the Offeror to promote the ferry and land transportation services through targeted marketing efforts. **(0-1 point)**

The Service would like to ensure that visitors are aware of the ferry and land transportation services required under the Draft Contract. Refer to the Operating Plan for the minimum requirements regarding advertisements and promotional material.

Describe your marketing plan for the Concession operation including, at a minimum, the following:

- 1) Ideas, concepts, and examples of the advertising campaign you will use to market the ferry and land transportation services.
- 2) Specific types of promotional opportunities (i.e., discounts, reduced fares, package deals) and advertising/outreach programs.

Limit your response to 2 pages for Secondary Selection Factor 2, not including graphics, schematics, or photos.

Secondary Selection Factor 3. The ability and expertise of the Offeror to appropriately address emergencies and service disruptions. **(0-2 POINTS)**

Describe how you will provide passenger safety and uninterrupted service along with appropriate communication to the public regarding the following matters:

- 1) Enroute service disruptions, such as a mechanical failure or vessel grounding
- 2) Enroute medical emergency
- 3) Anticipated and unanticipated severe weather
- 4) Inoperable vessel

Limit your response to 3 pages for Secondary Selection Factor 3, not including graphics, schematics, or photos.