

# **Part III**

## **Proposal Package**

**CC-DRTO002-26**

*Department of the Interior*

National Park Service  
Dry Tortugas National Park

**Proposal to Operate  
Interpretive Passenger Seaplane Service**

### 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  
Interior Region 2  
100 Alabama Street, S.W., Bldg 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 Dry Tortugas National Park in accordance with the terms and conditions specified in the Draft Concession Contract CC-DRT0002-26, (Draft Contract) provided in the Prospectus issued by the public notice as listed on the [SAM.gov website](https://www.sam.gov) 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) No later than the date of the selected Offeror's execution of the Concession Contract, to provide proof to the satisfaction of the Service that the selected Offeror will have legal control of the embarkation site by the effective date of the Contract.
- 5) To operate under the current National Park Service approved rates until such time as amended rates may be approved by the National Park Service.
- 6) *[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.
- 7) *[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 Florida, 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.

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**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. Except as indicated in #3 below, 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 give scoring preference to firm commitments when evaluating proposals. Responses that include terms such as "look into," "research," "may," "if feasible," and similar terms, or describe existing operations and conditions rather than proposing future commitments, 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) 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.
- 5) Page margins must be 1 inch. Page numbers and identifications of trade secrets or confidential commercial or financial information that the Offeror believes to be exempt from disclosure under the Freedom of Information Act may appear within the margins.

**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 are for the Concessioner to provide a proactive approach to protecting, conserving and preserving designated land and water areas in which the Concessioner operates, including Garden Key and Dry Tortugas National Park (Park), as well as wildlife protection while traveling to and from the Park. The Service would also like to ensure that the Concessioner informs visitors about environmental issues at Dry Tortugas National Park and about responsible ways to participate in recreational activities.*

**Subfactor 1(a). Protecting, Conserving, and Preserving Park Resources (0-2 points)**

Using no more than two (2) pages, including all text, pictures, graphs, etc., describe in detail the operating flight plan (including altitude near the various keys of the Park and the landing component at Garden Key during calm and challenging weather conditions) you will take to protect, conserve, and preserve Park resources and programs, including the nesting season of Bush Key (e.g., avoiding blowing sand when flying at low altitudes, powering-up too quickly during an ascent, etc.) as it is home to birds not found elsewhere in the continental United States.

**Subfactor 1(b). Protecting, Conserving, and Preserving the Environment (0-3 points)**

1. Provide, for each specific seaplane you propose to use throughout the term of the Draft Contract, including any backup seaplanes necessary for uninterrupted operations, the information requested on the Seaplane Specifications Form (see below). Submit one form per seaplane.

**SEAPLANE SPECIFICATION FORM**  
(Complete a separate form for each specific seaplane)

Seaplane Make, Model & Year:	
Tail Number:	
Passenger Capacity (*based on fuel to/from Dry Tortugas' Garden Key and required reserve):	
List approved installed Supplemental Type Certificate(s) (STCs):	
Total Time on Airframe (TTAF):	
Engine(s) make and model:	
Time on the engine(s):	
Fuel Burn (gal/hour):	
In-flight Greenhouse Gas Emissions:	
Time Between Overhauls (TBO):	
Propeller(s) make and model:	
Time on propeller(s):	
Since Propeller(s) Overhaul (SPOH):	
Aircraft scheduled maintenance program:	
Damage history:	
Any missing logbooks:	
List avionics:	
Take off and Landing Distances:	
Proposed Date in Service for Draft Contract:	
Indicate if Aircraft is Owned or Leased:	

**Note:** Offerors must include supporting documentation to demonstrate the Offeror's ability to control each specific seaplane so that operations may commence uninterrupted on the effective date of the Draft Contract (e.g., ownership documentation and third-party leasing agreements). Failure to provide these supporting documents could result in the proposal being found non-responsive. These supporting documents are not included in page limitations for this selection factor.

**Financial Projections:** Be sure that all investments proposed in your response to this selection factor are identified and listed clearly within your response to Principal Selection Factor 4 and the Excel workbook associated with that selection factor.

2. In addition to submitting one form for each seaplane, using no more than **two (2) pages for the entire fleet, including all text, pictures, graphs, etc.,** include a narrative describing the benefit of using your proposed seaplane technology to minimize the environmental impacts of your operation including, at a minimum, how it will minimize noise and maximize natural quiet while traveling to and from Garden Key, especially near bird sanctuaries.

**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 objectives for this Principal Selection Factor are for the Concessioner to provide a high-quality interpretive passenger seaplane service, at reasonable rates, and in a manner that contributes positively to a visitor's overall Park experience.*

**Subfactor 2(a). Interpretive Passenger Seaplane Service (0-3 points)**

Using no more than four (4) pages, including all text, pictures, graphs, etc., describe your planned approach to provide visitors with a quality interpretive experience (see the Draft Contract Operating Plan, Section 4)F)(2)(f) and Section 5)C) and D) for some of the minimum requirements for interpretation and the interpretive training of staff). The Service requires live interpretation paired with technology (e.g., videos, digital app). Interpretation will occur in three (3) phases of the tour: preflight, inflight, and postflight. Responses should include:

- Details regarding the interpretive method and technology used;
- Interpretive topics, including the phase of the tour during which the topic will be covered; and
- An overview of the training you will provide to interpretive personnel to ensure a quality interpretive experience.

**Subfactor 2(b). Guest orientation and risk management (0-2 points)**

Using no more than three (3) pages, including all text, pictures, graphs, etc., describe your process for managing passengers from start to finish (e.g., providing a preflight safety briefing, boarding and de-boarding procedures, alerting visitors to emergency response resources while they are at Garden Key should an emergency arise (e.g., visitor accident, weather event).

**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 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 (0-2 points)**

Using no more than 3 pages, including all text, pictures, graphs, etc.:

Describe one (1) example of the experience of the Offeror in the operation and management of an interpretive passenger seaplane service similar in scope and scale to the service required by the Draft Contract.

If the Offeror is not yet in existence, the Offeror was formed recently and has no financial or operating history, or the Offeror relies on the experience of a related entity, such as an Offeror-Guarantor, explain how such experience will carry over to the Offeror entity directly and how that entity's experience will benefit the Offeror's operations. For your 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 if applicable, for the most recent year/season of operation in which the Offeror was involved with the business
6. Operating season and hours
7. Number of employees: full-time, year-round employees; part-time, year-round employees; full-time, seasonal employees; and part-time, seasonal employees
8. Any special operating conditions or challenges (e.g., water taxiing/landing, extreme environment or weather conditions, employee retention)

**Subfactor 3(b). Violations or Infractions (0-1 points)**

The Service is aware that any business may receive the occasional notice of violation, penalty, fine, less than satisfactory safety 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.

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 the past five years in your operations that are the same or similar to the services required or authorized by the Draft Contract.
- 2) Explain how you responded to each Infraction, including actions you took to prevent a recurrence of the Infraction.
- 3) List the Related Entities (as defined below) you considered in providing the foregoing information.
- 4) Describe your overall strategy to minimize Infractions and how you resolve, or plan to resolve, Infractions when they do occur.

*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.

\* Offeror will mean the Offeror; its affiliate, parent, subsidiary, and predecessor companies; other related business entities; and the Offeror's principals and employees (collectively, the "Business Entities").

**Subfactor 3(c). Staffing Qualifications and Training (0-2 points)**

Using no more than three (3) pages, including all text, pictures, graphs, etc.:

- 1) Describe the critical functions and minimum qualifications, including required certifications if applicable, for your general manager and pilots. For the minimum qualifications, do not submit resumes of

individuals who might fill these positions but instead provide a listing of qualifications you will require for successful candidates.

- 2) Describe the qualifications and training for customer service representatives and office staff, excluding the interpretive training requested in PSF2.
- 3) Describe your recruitment and retention plan for pilots and customer service representatives, including how you will overcome the challenges associated with employee housing in the Florida.



**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.*

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

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



Total Interests Outstanding and Type(s):		
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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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**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.*

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

\* 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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**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.

**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.<sup>1</sup> 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

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<sup>1</sup> 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.

	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	Yes (if applicable)	Yes (if applicable)	Yes (if applicable)

financial institutions) that will provide funding			
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-DRTO002-26  
(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

## NOTICES

### PRIVACY ACT STATEMENT

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### ESTIMATED BURDEN STATEMENT

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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:**

- 9.2%% of gross receipts for annual gross receipts from \$0 to \$4,000,000; plus
- 14.2% of gross receipts for annual gross receipts from \$4,000,001 to \$7,000,000; plus
- 19.2% of gross receipts for annual gross receipts greater than \$7,000,000

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 \$4,000,000	9.2%	
From \$4,000,001 to \$7,000,000	14.2%	
Greater than \$7,000,000	19.2%	

**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)**

**Service Objectives:** *The Service seeks environmentally friendly business practices, notably in the areas of sustainability and energy conservation; purchasing of environmentally preferable products; solid waste reduction; recycling; and other similar proactive actions from a Concessioner. In responding to this Secondary Selection Factor, Offerors should review the provisions in the Draft Contract, including its Exhibits, for the baseline provisions required by the Service.*

**Without duplicating information provided in response to Principal Selection Factor 1, using no more than two (2) pages including all text, pictures, graphs etc.:**

- Describe operational procedures you will use to prevent any discharge or release of hazardous or toxic substances or materials, and the procedures you will use to respond in the event of any discharge or release.
- Describe your proposed strategies to reduce solid waste and improve energy efficiency and how you will measure your progress and monitor your performance to make improvements over time.

**Secondary Selection Factor 2.** The ability of the offeror to secure an embarkation site and associated infrastructure, including hangar and parking areas. **(0-1 POINT)**

**Note to Offeror:** *The Service requires the Concessioner to provide interpretive passenger seaplane service from an embarkation site on or near Key West, Florida.*

In response to this secondary selection factor, Offerors must demonstrate to the satisfaction of the Service that they have the capability to secure an embarkation site to provide the interpretive passenger seaplane service required under the Draft Contract. As set forth in the Operating Plan, Exhibit B to the Draft Contract, by the effective date of the Draft Contract, the Concessioner must control the embarkation site and have completed any improvements required at the embarkation site to meet the specifications set forth in the Draft Contract. As agreed to in the Offeror's Transmittal Letter, if selected for award of the Draft Contract, no later than the date of the selected Offeror's execution of the Contract, the selected Offeror must provide proof to the satisfaction of the Service that the selected Offeror will have legal control of the embarkation site by the effective date of the Draft Contract.

**Using no more than three (3) pages, provide the following information regarding the proposed embarkation site, including all text, pictures, graphs, maps, and drawings, but excluding documents provided under Part (1) or (2) below:**

The Service is aware that the persons or entities that own or control potential embarkation sites may not be willing or able to negotiate lease terms with Offerors prior to the selection of the successful Offeror. The Service recognizes that an Offeror may have existing legal control of an embarkation site while other Offerors may need to negotiate such control after the selection of a successful Offeror. As such, respond to either Part 1) or 2) below, as applicable. The Service will not consider having existing legal control of an embarkation site as a better proposal.

(1) If you have legal control of the proposed embarkation site:

- a. Describe the location of the embarkation site you propose to use. Include a map clearly showing the exact location and size and boundary of the embarkation site.

- b. Describe adjacent land uses and visitor access to the embarkation site.
- c. Describe the extent of your current legal control of the embarkation site, providing copies of any executed lease documents, options to lease, deeds, or other legal instruments as evidence of legal control of the embarkation site.

OR

- (2) If you do not already have legal control (through an executed lease, lease option, deed, or other legal instrument) of the proposed embarkation site:
  - a. Describe the potential location(s) you would seek to secure for the embarkation site if awarded the Draft Contract. Include maps clearly showing the exact location and size and boundary of each potential embarkation site location.
  - b. Describe adjacent land uses and visitor access to the embarkation site(s).
  - c. Describe your progress toward securing control of the embarkation site(s), including descriptions of outcomes of negotiations with the persons or entities that own or control the site(s), commitments made on the part of persons or entities that own or control the site(s), and identify any key challenges to securing the site(s). Include documentation demonstrating any agreements you have reached with persons or entities that own or control the site(s).