



United States Department of the Interior



NATIONAL PARK SERVICE
INTERIOR REGIONS 6, 7 & 8
1 Denver Federal Center, Building 50
Denver, CO 80225

Commercial Services Program
CC-CANYXXX-25

Memorandum

To: All Requesters of the Prospectus for a Concession Business Opportunity to Provide River Transportation and Cargo Haul-Out Services within Canyonlands National Park

From: Commercial Services Program Lead, Interior Regions 6, 7, & 8 **JENNIFER PARKER** Digitally signed by JENNIFER PARKER
Date: 2024.07.01 12:52:14 -06'00'

Subject: Amendment 1 and Responses to Questions Regarding the Prospectus for Solicitation CC-CANYXXX-25

This notice amends the Prospectus and provides responses to questions received regarding *A Concession Business Opportunity River Transportation and Cargo Haul-Out Services within Canyonlands National Park* ("Park"), that the National Park Service ("Service") issued on May 21, 2024, for solicitation CC-CANYXXX-25.

AMENDMENT 1 TO THE PROSPECTUS

Proposal Package, Page 3

The Part III Proposal Package, page 3 Offeror Transmittal Letter is modified reflect a new address for the National Park Service (NPS) Regional Office, Regions 6, 7, & 8. The Regional Office relocated buildings after the Prospectus was released. The new address to send the hard copy Offeror Transmittal Letter is updated in the Part III Proposal Package, page 3 and shown below.

Replace with:

OFFEROR'S TRANSMITTAL LETTER

Regional Director c/o Jennifer Parker
National Park Service
Regional Office Serving Interior Regions 6, 7, & 8
1 Denver Federal Center, Building 50
Denver, CO 80225

Proposal Instructions, Page 2

The Part II Proposal Instructions, Section 3 Submission Protocol (electronic submissions) is modified to add a new b(3) and renumbers all paragraphs following.

Add:

(3) Before gaining access to the Microsoft Teams site created to submit a proposal, you need to use an authentication app to complete a Multi-Factor Authentication (MFA). Please use the following link to access guidance for completing the MFA: [DOI Guest MFA Guidelines \(nps.gov\)](https://www.doi.gov/guest-mfa-guidelines)

Exhibit B Operating Plan

Exhibit B Operating Plan Sec 3 E) (2) Communications (a) page B-5

Delete:

- (a) The Concessioner must ensure that each trip maintains a satellite communication device capable of two-way communication, for emergencies and communicating with the Concessioner and the Service.

Replace with:

- (a) The Concessioner must ensure that each vessel maintains a satellite communication device capable of two-way communication, for emergencies and communicating with the Concessioner and the Service.

Exhibit B Operating Plan Sec 3(K) 1) Visitor Satisfaction page B-12

Delete:

(1) The Concessioner must establish a Service-approved customer satisfaction monitoring system. The Concessioner must submit its plan for this system within 30 days of the effective date of the Contract. The system may consist of electronic or hard-copy (i.e., comment card) surveys depending upon the location and services being monitored. The system must monitor customer satisfaction with service and quality standards, product mix, pricing, and overall Area experience. These surveys must include, at a minimum, NPS standard customer satisfaction questions located on the Commercial Services website on the page titled Standards and Evaluations at <https://www.nps.gov/subjects/concessions/standards-and-evaluations.htm>.

Replace with:

- (1) The Concessioner must establish a Service-approved customer satisfaction monitoring system. The Concessioner must submit its plan for this system within 30 days of the effective date of the Contract. The system may consist of electronic or hard-copy (i.e., comment card) surveys depending upon the location and services being monitored. The system must monitor customer satisfaction with service and quality standards, product mix, pricing, and overall Area experience. These surveys must include, at a minimum, NPS standard customer satisfaction questions, as available.

Exhibit B Operating Plan Sec 4(A)(6) Use Allocations (d) page B-13

Delete:

- (d) Boat Launches required for emergency response are exempt from the total number of allocated launches but must be reported to the Canyonlands Concessions Office within 48 hours of the event.

Replace with:

- (d) Boat Launches required for emergency response or administrative purposes, such as channel scouting, staff training, and maintenance, are exempt from the total number of allocated launches but must be reported to the Canyonlands Concessions Office within 48 hours of the event.

Responses to Questions from Interested Parties [Entities]:

Below please find the Service responses to questions regarding the CC-CANYXXX-25 Prospectus.

Business Opportunity

1. Business Opportunity document page 15. The historical use data shows data that was provided to the Service but was not calculated using the Draft Contract definition of “boat launch”. By that metric, the table showing historical use is undercounted.

Service Response: *The Service presented historical use data in the Business Opportunity as submitted to the Service. The historical data does not correspond directly to the new Draft Contract boat launch definitions, so it is not possible to present the data in that context. Historical use data is included in the Business Opportunity to provide Offerors with representative information for the purposes of understanding historical operation of services and new requirements under the Draft Contract.*

Proposal Package

2. Proposal Package page 3. “This Prospectus consists of solicitations for the award of up to two (2) Concession Contracts. You must submit a separate completed Offeror’s Transmittal Letter and Proposal for each of the Concession Contract(s) for which you wish to apply”. Is this boiler plate language or could one company/Offeror be awarded both Concession Contracts?

Service Response: *There is no prohibition regarding one company being awarded two concession contracts. One company may submit two separate proposals, one for each contract, i.e., CANY026 or CANY027. You must submit a Notice of Intent to Propose and identify the specific contract or contracts for which you wish to apply. You must submit a separate completed Offeror’s Transmittal Letter and Proposal for each of the Concession Contract(s) for which you wish to apply. Refer to Part II Proposal Instructions for more information.*

Operating Plan

3. Operating Plan 3)(A)(2) page B-2. Is the Concessioner required to operate Required Services every month March through October?

Service Response: *Yes, the Concession is required to make required services available to the public and accept customer bookings for trips during the minimum operating season, March 15 through October 31.*

4. Operating Plan 3)(A)(2) page B-2. Does this schedule requirement consider when “water conditions” are low enough that a Concessioner may request to cease operations? What happens when jetboats can’t get across the Sandbars? If a Concessioner can run 30 trips and then discontinue operations due to low water, will they be penalized for not running trips through the entirety of the minimum required operating season (October 31)?

Service Response: *The Concessioner needs to be available for the duration of the minimum operating season to provide required visitor services and fulfill visitor requests. A Concessioner only providing 30 trips (30 launches) in a season would be using 15% of the annual allocation, which may prompt the Service to notify the Concessioner, at the end of the season, and request a plan as to how the Concessioner will increase operations in the next season. (See Operation Plan 4)(A)(6) Use Allocations. The Service may grant exceptions to these requirements on a case-by-case basis during instances of water levels dropping to the point of preventing operations.*

The Service did not identify a minimum daily schedule of operation or minimum boat size in order to provide the Concessioner with maximum flexibility in adapting operations to meet visitor demand and variable water conditions. The Offeror should consider water levels and flows in ensuring personal property equipment (fleet) investments allow for the operation of services in variable water flows and passenger counts.

5. Operating Plan 3)A)(3) page B-2. Can this section be amended to allow overnight use?

Service Response: *No, overnight tours are not authorized.*

6. Operating Plan 3)A)(4) page B-2. What specifically does “a schedule of operations for all required services” entail?

Service Response: *The Concessioner must annually submit to the Service by September 1 a schedule of operations, which means a list of all trips booked in advance for the next season and the Concessioner’s predicted schedule of trips available to the public for booking, including what times, days of the week, and number of boat launches per day for the next year.*

7. Operating Plan 3)C)(6) page B-3. Do we require approval and publication for discounts or reduced rates?

Service Response: *No, the Concessioner may offer discounts on rates based on industry practice. The CMD Rate Method does not require Service approval of published and discounted rates, but rates are subject to rate monitoring as described in the Draft Contract Operating Plan Section 3)C)(3) Monitoring of the Competitive Market.*

8. Operating Plan 3)E)(2)(a) page B-5 and 4)A)(6)(a) page B-13. Do the terms “trips” and “boat launches” in these two sections have the same meanings?

Service Response: *See the Amendment to the Exhibit B Operating Plan Sec 3 E)(2) Communications (a). The term “boat launch” is defined for use allocation requirements is a roundtrip downstream and upstream (as one launch). A “trip” requires a “boat launch,” but the Concessioner may choose to provide several different types of “trips”, i.e., backpacker shuttle transportation services and flatwater shuttle and cargo services, within one “boat launch.”*

9. Operating Plan 3)E)(7) page B-6. Is the pet restriction confined to “commercial tours” or is it Area wide?

Service Response: *Pets are not permitted aboard vessels while conducting required or authorized services. The Superintendent's Compendium states, "Pets are prohibited in any backcountry area, including vehicles on designated backcountry roads, on any hiking trails, at any overlook, or any sidewalk or pathway leading to an overlook as defined on the Canyonlands brochure, or any river trip within the park, or in the Horseshoe Canyon unit of the park." Refer to the Compendium here: <https://www.nps.gov/cany/learn/management/compendium.htm>.*

10. Operating Plan 3)E)(10)(e) page B-6. Do services authorized under a separate Special Use Permit qualify as “sub concessions”? Are sub concessions allowed as part of pre-Service approved charter transportation?

Service Response: *A Special Use Permit is a different authorization than a Concession Contract. While the Draft Contract prohibits subconcessions, as outlined in Addendum 1 Section 3(d), page A1-2, the Concessioner may hire temporary employees or rent/lease additional equipment as needed to perform required or authorized services.*

11. Operating Plan 3)E)(12)(c) page B-6. Does this apply only to those vehicles, vessels, watercraft, and trailers used in the Area to perform required and approved services, or does this apply to all vehicles, vessels, watercraft, and trailers operated by the concessioner?

Service Response: *The Concessioner must maintain a spreadsheet identifying all vehicles, vessels, watercraft, and trailers **used in the operation** to provide the required and authorized services of the Draft Contract.*

12. Operating Plan 3)K)(1) page B-12. Is the concessioner required to establish a customer satisfaction monitoring system in addition to adopting of the Service's system, or will the Service's system be sufficient on its own?

Service Response: *The Service is developing a centralized, web-based guest satisfaction program; however, that program is not currently available for use. Until the Service based system is available, the Concessioner must develop its own customer satisfaction monitoring system (collection of customer comments and feedback) and submit its plan for monitoring within 30 days of the effective date of the Contract. See the Amendment to Exhibit B Operating Plan Sec. 3K)(1).*

13. Operating Plan 4)A)(6)(a) page B-13. Does the maximum allocation of (2) boat launches per day apply to charter transportation authorized under a Special Use Permit (SUP)?

Service Response: *No, this Prospectus and the Draft Contract does not authorize or regulate any activities permitted under a park issued Special Use Permit (SUP).*

14. Operating Plan 4)A)(6)(a) page B-13. Are exceptions allowed to the maximum allocation of (2) boat launches per day for extreme low water?

Service Response: *No, the Draft Contract does not contain an exception to the maximum use allocation of 2 launches per day for extreme low water. See also to the response to Question 16 for administrative exemption.*

15. Operating Plan 4)A)(6)(a) page B-13. Can the maximum allocated launches per year be increased from 200 to 250. It would accommodate accurate historic use plus a comfortable cushion.

Service Response: *No, the Service will not consider a change. As part of interim planning before the park engages in a River Management Plan, the Park identified a maximum use allocation of 200 launches per contract (400 total launches for CANY 026 and CANY027 services combined) based on concessioner historic use. However, use allocations may be reevaluated as part of the Parks' upcoming River Management Plan.*

16. Operating Plan 4)A)(6)(a) page B-13. If the maximum allocated launches per year cannot be increased, can launches exempt from the total number of allocated launches be extended beyond emergency responses to also include: channel scouting launches, training launches, maintenance related launches, additional launches required to compensate for the loss of a jet boat, additional launches required for extreme low water, and charter transportation pre-approved by the Service and authorized under a Special Use Permit?

Service Response: *Yes, the Operating Plan has been amended to add some, but not all, of these bases for additional allocation. See the Amendment to the Exhibit B Operating Plan Sec 4 A) (6) Use Allocations (d). See also the response to Question 13 for separate activities authorized under Special Use Permit.*

17. Operating Plan 4)A)(6)(d) page B-13. Does persistent mechanical failure fall under the category of “emergency response”?

Service Response: *No, the Service does not consider “persistent mechanical failure” to fall under the definition of “emergency response.” Unforeseen mechanical failure requiring “emergency response” to ensure client and employee safety is a clear example of “Boat Launches required for emergency response”, which are exempt from the Boat Launch Allocation in 4)A)(6) .*

18. Operating Plan 4)A)(7) page B-13. Does “provide a schedule” denote something to be submitted in advance to the Service? What is required of the concessioner to satisfy this condition?

Service Response: *No, this section refers to the schedule of required services the Concessioner offers to the public. See also the response to Question 6.*

19. Operating Plan 4)A)(6)(a) page B-13. Are the 2 daily launch maximums considered as one or two launches from the annual launch maximum if two boats leave at the same time.

Service Response: *A boat launch is applied per boat. If two (2) boats depart the boat ramp at the same time, that is recorded as two (2) boat launches, but each of those two boats can go downstream and upstream (round trip) once.*

20. Operating Plan 4)A)(6)(c) page B-13. If one of the concessioners, either CANY026 or CANY027, uses 10% or less of the annual allocations, and the Service decides to reduce and reassign a portion of the boat launches for the next operating year, will the launches be assigned to the other concessioner?

Service Response: *The Service retains the authority to reassign and/or redistribute allocated boat launches from CANY026 to CANY027 or vice versa. The Service will determine the number of boat launches for reassignment / redistribution and reserves the right to maintain a reserve pool of unassigned boat launches as part of annual assessments of utilization.*

21. Operating Plan 4)A)(10)(c) page B-14. Are concessioner river permits able to be purchased retroactively? Given the dynamic nature of operations, we aren’t going to be able to obtain our permits very far in advance, and reserving permits is going to be a near everyday procedure. To prevent missed deadlines and last-minute changes on our part, this will operate more smoothly if we can handle it in batches retroactively on a monthly basis or on some other pre-determined schedule. If permits can’t be purchased retro-actively. Is there any flexibility on the 24-hour timeline?

Service Response: *No, the Recreation.gov system requires payment at the time of advance reservation. The Recreation.gov system will also not allow permits to be purchased for prior dates. The Service is in the process of developing the Concessioner River Permit system specific to River Transportation Concessioners, and there may be flexibility to reduce the 24-hour advanced notice to the morning of the planned launch; however, at this time, the Service cannot guarantee this feature. All Concessioner River Permit permits must be booked in advance, either 1 month, 1 week or 1 day (24 hours) and will require the same non-refundable permit fee. One benefit of early bookings of permits is the ability to view scheduled launches for a particular day in the Recreation.gov system.*

22. Operating Plan 4)A)(10)(e) page B-14. Is the \$6.00 permit fee partially refundable?

Service Response: No, Concessioner River Permits reserved and booked in Recreation.gov are subject to a non-refundable Recreation.gov fee. The non-refundable permit fee for 2025 is \$6.00 per permit.

23. Operating Plan 4)C)(2) page B-17. Are “scenic ride along” trips considered River Transportation and Cargo Haul Out or Interpretive Boat Tours?

Service Response: A "scenic ride along" tour would be considered and reported as an Interpretive Boat Tour (Authorized Service), and the Concessioner is required to provide interpretation to clients, at a minimum, covering information as required in Exhibit B, Operating Plan 4)C)(2). The Concessioner may choose to use the same boat (under the same launch) to provide two different services to two different groups of passengers, i.e., River Transportation and Cargo Haul-Out Services (Required), and Interpretive Boat Tours (Authorized Service). Operating standards for each service must be maintained.

24. Operating Plan 5)A)(8) page B-18. We do not employ any staff as guides. Does this reporting requirement apply to our operation?

Service Response: Yes, this requirement applies to the Concessioner. The use of the term “guides” in this context refers to employees of the Concessioner who perform the required and authorized services of the Draft Contract. Prior to each operating season, or March 1, whichever is earlier, the Concessioner must provide a written list of all guides **and** employees who will conduct operations within the Park.

25. Operating Plan 5)C) page B-18. Are there guidelines as to what level of accident or injury severity requires a report? Are we required to report accidents or injuries that occur outside the Area? Does this apply to all staff or only staff who work in the Area? Is the annual report still required if no accident or injury with a severity level requiring a report has occurred?

Service Response: The Concessioner must report all accidents and injuries that occur as part of performing the required and authorized services under the Draft Contract, regardless of severity. This includes incidents on river within the Park and incidents that occur as part of transporting people and equipment to and from operations within the Park, despite the location occurring outside of the boundary Park. Refer to Exhibit B, Operating Plan Section 5)C)(2) for information on incidents that require reporting. Yes, an annual report is required, even if the report indicates zero incidents.