

PROPOSAL PACKAGE

CC-PORE005-21

Department of the Interior

National Park Service
Point Reyes National Seashore

Proposal to Operate a Horse Camp at
Point Reyes National Seashore

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 and be included in the Offeror's Proposal Package.** 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, the proposal must demonstrate that the individual(s) or organization(s) (hereinafter Offeror-Guarantor) 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

Linda Walker
Acting Regional Director
National Park Service
Interior Regions 8, 9, 10 & 12
333 Bush Street, Suite 500
San Francisco, CA 94104

Dear Director:

The name of the Offeror is _____. If the Offeror has not yet been formed, 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 the Park in accordance with the terms and conditions specified in the Draft Concession Contract CC-PORE005-21, (Draft Contract) provided in the Prospectus issued by the public notice as listed on the [beta.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). If the Offeror is not yet in existence, the undersigned, acting as guarantor(s) of all certifications, agreements and obligations of Offeror hereunder, makes such certifications, agreements and obligations individually and on behalf of the Offeror.

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 2 C.F.R. Part 1400 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. _____

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.] 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 a business 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 California, evidence that it is qualified to do business there.

The Offeror certifies it has accessed the Service's Secure File Transfer site using the email address _____ and uploaded the following proposal documents:

Document Title	Filename	File Size

NAME OF OFFEROR (or OFFEROR-GUARANTOR(s)): _____

If the Offeror is not yet in existence as of the time of submission – list all entities if more than one and clearly indicate that the entity is an Offeror-Guarantor.

BY _____ DATE _____
(Type or Print Name)

ORIGINAL SIGNATURE _____

TITLE _____

ADDRESS _____

(END OF OFFEROR'S TRANSMITTAL LETTER)

CERTIFICATE OF BUSINESS ENTITY OFFEROR
(OR OF OFFEROR-GUARANTOR IF OFFEROR IS NOT YET FORMED)
(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 _____

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 2017."
- 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.

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 Horse Camp is located in an environmentally sensitive area, surrounded by riparian and stream habitat documented to support multiple threatened and endangered salmonid species. The operation is also located within the Tomales Bay watershed, which is identified by the San Francisco Bay Regional Water Quality Control Board as impaired by nutrients, sediment and pathogens. As part of the Regional Board review, horse stables and horse operations are identified as a potential contributor of these pollutant factors to the water body. The Service's objectives under this factor are for the Concessioner to minimize resource disturbance by operating in an environmentally sensitive manner specifically by focusing on the following objectives:

- 1) Protecting resources at each location through the management and disposal of horse manure;
- 2) Protecting vegetation from campers,
- 3) Protecting Olema Creek water quality, and
- 4) Preventing the introduction of noxious and exotic weeds within Point Reyes National Seashore.

Protection of Resources

Describe how you will protect the natural resources of the camp from negative impacts of horse and camper activities by addressing each of the four objectives identified by the Service above.

Offeror's must provide commitments beyond the minimum requirements in the Operating Plan (Section IV).

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: *Although many factors influence these objectives, the Service has chosen to focus in this Selection Factor on the following:*

- 1) Educating visitors to have a safe stay at the Seashore.

Safe Visit

The Seashore wants to reduce the number of horse-related accidents that occur at the camp and on the adjacent trails. Many of the surrounding trails are shared by hikers and bikers causing a potential hazard for visitors unfamiliar with shared use conditions.

- 1) Describe how you will educate visitors on responsible horse riding in the wilderness and how to avoid potential hazards when using the surrounding trails.
- 2) Describe what actions you will take to minimize the number of horse-related accidents occurring within the camp.

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, 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, submit a Business Organization Information form for each Offeror-Guarantor.

Subfactor 3(a). Experience

Using **not more than 3 pages**, including all text, pictures, graphs, etc., describe one example of the experience of the Offeror in the operation and management of a similar operation as required in the Draft Contract. For the example, provide the following information segmented by operating department in a tabular format.

- (1) Name and Location of operation
- (2) Time frame of experience
- (3) Role in the operation (e.g. owner, manager, wrangler, etc.)
- (4) Description of services provided
- (5) Annual gross receipts by department
- (6) Operating season and hours (if any)
- (7) Number of employees during high and low seasons
- (8) Any special operating conditions similar to those found at Point Reyes National Seashore (e.g. such as sensitive environmental resources)

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.

Using not more than five 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 the Service should know about prior to selecting you as the Concessioner under the Draft Contract. Keep in mind the services required under the Draft Contract only.
- 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").

NPS Form 10-359B (Rev. 11/2017)
National Park Service

OMB Control No. 1024-0029
Expiration Date: 01/31/2020



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 Entity and Trade-name, 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**PRIVACY ACT STATEMENT**

Authority: 16 U.S.C. 5966, Commercial Use Authorizations.

Purpose: The purposes of the system are (1) to assist NPS employees in managing the NPS 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; (2) to monitor resources that are or may be affected by the authorized commercial uses within a unit of the National Park System; (3) to track applicants and holders of commercial use authorizations who are planning to conduct or are conducting business within units of the National Park System; and (4) to provide to the public the description and contact information for businesses that provide services in national parks.

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 DOI as a routine use pursuant to 5 U.S.C. 552a(b)(3) to other Federal, state and local governments, tribal organizations, and members of the general public upon request for names, addresses and phone numbers of Commercial Use Authorizations (CUA) holders conducting business within units of the National Park System for the purpose of informing the public of the availability of the services offered by the CUA holder. In addition, records or information contained in this system may be disclosed outside DOI 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 for this system.

Disclosure: Voluntary, however, failure to provide the requested information may impede our ability to 1) manage the National Park Service (NPS) Commercial Services Program allowing commercial uses within a unit of the NPS, 2) monitor resources that are or may be affected by the authorized commercial uses, and 3) provide the public the description and contact information for businesses that provide services in national parks.

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. 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, 12201 Sunrise Valley Drive, Mail Stop 242, Reston, VA 20192. Please do not send your completed form to this address.

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National Park Service

OMB Control No. 1024-0029
Expiration Date: 01/31/2020



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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Notes to Offeror:

In Principal Selection Factor 4, the National Park Service requires you to provide information by submitting documents and completing provided forms.

If you fail to provide such information, the Service may consider your proposal non-responsive.

If the Service determines your proposal non-responsive:

- You will not be selected as the best Offeror***
- You will not be entitled to exercise any rights you may have as a Preferred Offeror***

PRINCIPAL SELECTION FACTOR 4. THE FINANCIAL CAPABILITY OF THE OFFEROR TO CARRY OUT ITS PROPOSAL. (0-5 POINTS)

In the event the Offeror is not yet in existence, provide the information described below with respect to both the to-be-formed Offeror and the Offeror-Guarantor(s). The submission must include a letter from each Offeror-Guarantor that unconditionally states and guarantees the Offeror-Guarantor will provide the Offeror with all funding, management and other resources that the Draft Contract requires and the proposal offers. 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.

All forms are provided electronically. The Offeror must complete all forms provided and submit both a hard copy and an Excel spreadsheet file.

Subfactor 4(a). Demonstrate that you have a credible, proven track record of meeting your financial obligations. The Offeror (or each Offeror-Guarantor) must provide comprehensive materials to demonstrate that it has a history of meeting its financial obligations by providing the following:

Complete the **Business History Information** form provided on the next page

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National Park Service

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BUSINESS HISTORY INFORMATION
Proposal Package
CC-PORE005-21



BUSINESS HISTORY INFORMATION FORM
(Principal Selection Factor 4 – Subfactor 4(a))

Business history information should be provided for the Offeror AND any entity that will provide financial or management assistance. If the Offeror is not yet formed, provide a business history form for each Offeror-Guarantor.

The information provided below is for the entity: _____

- (1) Has Offeror 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/or 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 Offeror. 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 Offeror'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 Offeror 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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**DOI OFFEROR FINANCIAL STATEMENTS AND PROJECTIONS
SMALL CONTRACTS**

**PROPOSAL PACKAGE
CC-PORE005-21**



Financial Statements

Complete the appropriate **Financial Statements** as described below:

The Service needs this information to verify there are enough funds available to be able to pay the required expenses to operate the Draft Contract and satisfy any other existing debt. If the Offeror's total debts exceed current assets, provide a narrative explaining how these debts will be paid.

Financial Statements include both an Income Statement and a Balance Sheet. An Income Statement lists all of your income and expenses as of the last day of your most recent fiscal year. A Balance Sheet lists everything that you own and everything that you owe as of a certain date.

By signing the Offeror's Transmittal Letter, you certify that the information you provide is complete, true, and correct.

If an Offeror is not yet formed, each Offeror-Guarantor should submit the appropriate Financial Statements as set forth below.

The Service requires all existing business entities to submit Business Financial Statements.

Provide, at a minimum, an audited or reviewed (i) Income Statement for the two most recent fiscal years and (ii) Balance Sheets (1) for the most recent fiscal year and (2) as of the end of the most recent month prior to the submission of your proposal. Business Financial Statements should reflect the entity's business as a whole, including all operations both inside and outside of the Area.

If the entity does not have audited or reviewed Financial Statements, complete the Most Recent Fiscal Year Balance Sheet (**Table 1**), the Most Recent Month Balance Sheet (**Table 2**), and the Historical Income Statement (**Table 3**) provided below.

The Service requires Sole Proprietors to submit Personal Financial Statements.

Complete the Personal Financial Statements (**Table 4**) below.

Notes to Offeror and/or Offeror-Guarantor:

In the event the Offeror is not yet in existence, submit financial statements for each Offeror-Guarantor. Submit Business Financial Statements if the Offeror-Guarantor is a business entity. Submit Personal Financial Statements if the Offeror-Guarantor(s) is an individual.

NPS Form 10-359B (Rev. 11/2017)
National Park Service

OMB Control No. 1024-0029
Expiration Date: 01/31/2020

Table 1: Business Financial Statement – Most Recent Fiscal Year Balance Sheet

For Fiscal Year Ending: _____

1	Cash in Bank	\$
2	Accounts Receivable	\$
3	Inventory	\$
4	Other Current Assets (Describe)	\$
5	Total Current Assets (add lines 1-4)	\$
6	Personal Property (Equipment) Items	\$
7	Other Fixed Assets (Describe)	\$
8	(LESS Accumulated Depreciation)	\$
9	Total Fixed Assets (add lines 6-7, minus line 8)	\$
10	Total Assets (add lines 5 & 9)	\$
11	Accounts Payable	\$
12	Bank Loans Outstanding	\$
13	Loans due to Owners	\$
14	Other Current Liabilities (Describe)	\$
15	Total Current Liabilities (add lines 11-14)	\$
16	Long-Term Liabilities (Describe)	\$
17	Total Liabilities (add lines 15 and 16)	\$
18	Total Net Worth (line 10 minus line 17)	\$

Describe the information in lines 4, 7, 14 & 16 below:

Table 2: Business Financial Statement – Most Recent Month Balance Sheet

For Month Ending: _____

Business Financial Statement – Most Recent Month Balance Sheet (Principal Selection Factor 4 – Subfactor 4(a))		
1	Cash in Bank	\$
2	Accounts Receivable	\$
3	Inventory	\$
4	Other Current Assets (Describe)	\$
5	Total Current Assets (add lines 1-4)	\$
6	Personal Property (Equipment) Items	\$
7	Other Fixed Assets (Describe)	\$
8	(LESS Accumulated Depreciation)	\$
9	Total Fixed Assets (add lines 6-7, minus line 8)	\$
10	Total Assets (add lines 5 & 9)	\$
11	Accounts Payable	\$
12	Bank Loans Outstanding	\$
13	Loans due to Owners	\$
14	Other Current Liabilities (Describe)	\$
15	Total Current Liabilities (add lines 11-14)	\$
16	Long-Term Liabilities (Describe)	\$
17	Total Liabilities (add lines 15 and 16)	\$
18	Total Net Worth (line 10 minus line 17)	\$

Describe the information in lines 4, 7, 14, & 16 below:

Table 3: Business Financial Statement – Historical Income Statement

Historical Income Statement
(Principal Selection Factor 4 – Subfactor 4(a))

Some lines may not be used, plan "N/A" in these lines.
Include revenues and expenses related to the business as a whole,
including any operations both inside and outside of the Area.

		Year 1	Year 2
1	Revenues		
1a	Revenue Source 1 _____	\$	\$
1b	Revenue Source 2 _____	\$	\$
1c	Revenue Source 3 _____	\$	\$
1d	Revenue Source 4 _____	\$	\$
2	Total Revenues (add lines 1a-1d)	\$	\$
3	Cost of Sales		
4	Total Cost of Sales	\$	\$
5	Gross Profit (line 2 minus line 4)	\$	\$
6	Direct Expenses		
6a	Salaries and Wages	\$	\$
6b	Payroll Taxes and Benefits	\$	\$
6c	Operating Supplies	\$	\$
6d	Car and Truck Expenses	\$	\$
6e	Other Direct Expense 1 _____	\$	\$
6f	Other Direct Expense 2 _____	\$	\$
7	Total Direct Expenses (add lines 6a-6f)	\$	\$
8	Undistributed Expenses		
8a	Administrative and General	\$	\$
8b	Marketing (Advertising)	\$	\$
8c	Utilities	\$	\$
8d	Repair and Maintenance	\$	\$
8e	Other Undistributed Expense 1 _____	\$	\$
8f	Other Undistributed Expense 2 _____	\$	\$
9	Total Undistributed Expenses (add lines 8a-8f)	\$	\$
10	Fixed Expenses		
10a	Insurance	\$	\$

		Year 1	Year 2
10b	NPS Franchise Fee (if applicable)	\$	\$
10c	Other Fixed Expense 1 _____	\$	\$
10d	Other Fixed Expense 2 _____	\$	\$
11	Total Fixed Expenses (add lines 10a-10d)	\$	\$
12	Total Direct, Undistributed, and Fixed Expenses (add lines 7, 9, and 11)	\$	\$
13	EBITDA* (line 5 minus line 12)	\$	\$
14	Depreciation and Amortization	\$	\$
15	Interest	\$	\$
16	Net Income Before Income Taxes (line 13, minus lines 14 & 15)	\$	\$

*Earnings before Interest, Taxes, Depreciation and Amortization

Table 4: Personal Financial Statement

Personal Financial Statement (Principal Selection Factor 4 – Subfactor 4(a))	
Name:	
As of Date:	
% Ownership:	

1	Cash in Bank	\$
2	IRA and Other Retirement Accounts	\$
3	Stocks & Bonds in Taxable Accounts	\$
4	Real Estate	\$
5	Accounts and Loans Receivable	\$
6	Life Insurance (Cash Surrender Value Only)	\$
7	Automobile (Present Value Only)	\$
8	Other personal Assets (Describe)	\$
9	Total Assets (add lines 1-8)	\$
10	Accounts Payable	\$
11	Bank Loans Outstanding	\$
12	Mortgage Loans Outstanding	\$
13	Other Loans Outstanding (Describe)	\$
14	Unpaid Tax Liability	\$
15	Other Liabilities (Describe)	\$
16	Total Liabilities (add lines 10-14)	\$
17	Total Net Worth (add lines 9 and 16)	\$
18	Salary	\$
19	Investment Income	\$
20	Other Income (Describe)	\$
21	Total Income (add lines 17-19)	\$
22	Endorsements or Guarantees	\$
23	Other Contingent Liabilities (Describe)	\$
24	Total Contingent Liabilities (add lines 22-23)	\$

Describe the information in lines 4, 7, 14, & 16 below:

Describe the information in lines 8, 13, 15, 20, & 23 below:

Provide a CURRENT (within the last six months) and complete **Business Credit Report with a Credit Score** in the name of the Offeror from a major credit reporting company such as Equifax, Experian, TRW or Dun & Bradstreet. If the credit report includes negative information, provide a narrative explanation.

Notes to Offeror and/or Offeror-Guarantor:

If you cannot obtain a Business Credit Report, submit Personal Credit Reports for each Offeror. For partnerships, submit a personal Credit Report for each general partner. Corporations must submit a Business Credit Report.

In the event the Offeror is not yet in existence, submit credit reports for each Offeror-Guarantor. Submit a Business Credit Report if the Offeror-Guarantor is a business entity. Submit a Personal Credit Report if the Offeror-Guarantor(s) is an individual.

Subfactor 4(b). Demonstrate your proposal is financially viable and that you understand the financial obligations of the Draft Contract by providing the following:

1) Personal Property

Using **Table 5** below, list all currently owned personal property with monetary value equal to or exceeding \$500 that you will use for **your operations inside of the Park** and provide an estimate of its current value. Unlike Subfactor 4(a), do not include any personal property for your operations outside of the Park.

Using **Table 5** below, list all of the personal property with monetary value equal to or exceeding \$500 that you will intend to acquire to use for this.

Table 5: Personal Property to be used in the Draft Contract

Personal Property to be Used in the Draft Contract (Principal Selection Factor 4 – Subfactor 4(b))

Personal Property	Quantity	Value of <i>Currently Owned</i> Personal Property
		\$
		\$
		\$
		\$
		\$

Total Value of Currently Owned Personal Property: \$ _____

Personal Property	Quantity	Value of Personal Property that <i>will be Acquired</i> Prior to Operation
		\$
		\$
		\$
		\$
		\$

Total Value of Personal Property Investment: \$ _____

2) Start-Up Costs

Estimate the start-up costs needed to begin operating the business (within the Park only) and use those estimates to complete the **Table 6** below. **Only provide estimates for those items you need to acquire in order to begin operating. Do not include costs for items you already own.** For working capital (cash), estimate the amount of cash you will need to have available after purchasing the other items (describe) in order to begin operating the business. For example, working capital would include salaries and rent you will pay before you generate income from the operations in the Park.

The total "Value of Personal Property Investment that will be Acquired Prior to Operation" that you listed in the previous table should be equal to the amount you list for Personal Property in this table.

Table 6: Start-Up Costs

Estimate of Investment Required to Begin Operations in the Draft Contract (Principal Selection Factor 4 – Subfactor 4(b))
--

Acquisition / Investment Category	Acquisition / Investment Amount
Personal Property (Equipment)	\$
Merchandise (Inventory)	\$
Supplies	\$
Working Capital (Cash)	\$
Other (Describe)	\$
Total Funds Needed	\$

Describe "Other" investment listed in the table:

3) Operating Projections

- a) Based on the condition of your personal property provided or purchased for the operation, attach a list of items using **Table 7**, that you will need to replace during the term of the Draft Contract. Include the anticipated year for the expenditure, the quantity of item(s) to be replaced, the description of the item(s), the approximate total value of the replacement, and how you plan to pay for the personal property replacement. (For example, cash, bank loan etc.).

If your projected expenditures for personal property investments exceeds \$1,000, provide an explanation of how you will fund the investment.

If you will not need to replace personal property during the term of the Draft Contract, explain your reasoning.

Add or remove rows for years as needed in **Table 7**.

Table 7: Additional Personal Property Investments

**Additional Personal Property Investments During the Term of the Draft Contract
(Principal Selection Factor 4 – Subfactor 4(b))**

Anticipated Year of Expenditure	Quantity	Capitalized Personal Property Equipment) Items	Total Value	How will you fund the investment?
Year 1				
Year 1				
Year 2				
Year 2				
Year 3				
Year 3				
Year 4				
Year 4				
Year 5				
Year 5				
Year 6				
Year 6				
Year 7				
Year 7				
Year 8				
Year 8				
Year 9				
Year 9				

RECORDS RETENTION. TEMPORARY. Destroy/Delete 3 years after closure. (NPS Records Schedule, Commercial Visitor Services, (Item 5D) (N1-79-08-4))

Year 10				
Year 10				

- b) Demonstrate that your proposal is financially feasible and that you will have a reasonable opportunity to make a profit from your business while carrying out the terms and conditions of the Draft Contract by completing the following Prospective Income Statement, **Table 8**.
- Estimate the amount of income and expenses for the proposed operation for the first year of operation. We included blank lines on the prospective income statement for your estimates for expense categories we did not list. Describe those categories on the blank lines.
 - Include only revenues and expenses related to the services required and authorized by the Draft Contract inside the Park. Do not include other services you may provide outside the Park.

Fully explain the assumptions on which you base your projections and provide sufficient details so we fully understand your assumptions. Provide revenue estimates by department, if applicable. If the projections show significantly increased revenues from the projections provided in the prospectus, provide a full explanation of the changes.

Note to Offeror: If you are not familiar with making these types of projections, you should consult an accountant or business advisor.

Additional Instructions for completing the Prospective Income Statement on the next page:

- Line 1: You must base the revenue projections on the current NPS approved rate schedule (see Appendix C). If applicable, show revenues by departments (separate revenue activities - e.g., guide services, gift sales, snack bar revenue, etc.).
- Line 8a: Administrative and General includes the costs of managing the business and may include items such as: credit card commissions; legal and accounting fees; travel; meals and entertainment; postage and printing; professional training; telecommunications expenses; etc.
- Line 10a: Insurance: As required in Exhibit F of the Draft Contract
- Line 13: Earnings before Interest, Taxes, Depreciation and Amortization

Table 8: Prospective Income Statement

Prospective Income Statement
(Principal Selection Factor 4 – Subfactor 4(b))

If a **line is marked with an asterisk**, see additional notes on the previous page.
Some lines may not be used, place "N/A" in these lines.

Include only revenues and expenses related to the services required and authorized by the Draft Contract **inside the Park** in your prospective income statement. **Do not** include other services you provide outside the Park. This is **unlike** the Income Statement you provided in Subfactor 4(a).

		Year 1	Assumptions
1	Revenues*		
1a	Revenues Source 1 _____		
1b	Revenues Source 2 _____		
1c	Revenues Source 3 _____		
1d	Revenues Source 4 _____		
2	Total Revenues (add lines 1a-1d)		
3	Cost of Sales		
4	Total Cost of Sales		
5	Gross Profit (line 2 minus line 4)		
6	Direct Expenses		
6a	Salaries and Wages		
6b	Payroll Taxes and Benefits		
6c	Operating Supplies		
6d	Car and Truck Expenses		
6e	Other Direct Expense 1 _____		
6f	Other Direct Expense 2 _____		
7	Total Direct Expenses (add lines 6a-6d)		
8	Undistributed Expenses		
8a	Administrative and General*		
8b	Marketing (Advertising)		
8c	Utilities		
8d	Repair and Maintenance		
8e	Other Undistributed Expense 1 _____		
8f	Other Undistributed Expense 2 _____		
9	Total Undistributed Expenses (add lines 8a-8f)		

		Year 1	Assumptions
10	Fixed Expenses		
10a	Insurance*		
10b	NPS Franchise Fee		
10c	Other Fixed Expense 1 _____		
10d	Other Fixed Expense 2 _____		
11	Total Fixed Expenses (add lines 10a-10d)		
12	Total Direct, Undistributed, Fixed Expenses (add lines 7, 9, and 11)		
13	EBITDA* (line 5 minus line 12)		
14	Depreciation and Amortization		
15	Interest		
16	Net Income Before Income Taxes (line 13 minus lines 14 & 15)		

NOTICES**PRIVACY ACT STATEMENT**

Authority: 16 U.S.C. 5966, Commercial Use Authorizations.

Purpose: The purposes of the system are (1) to assist NPS employees in managing the NPS 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; (2) to monitor resources that are or may be affected by the authorized commercial uses within a unit of the National Park System; (3) to track applicants and holders of commercial use authorizations who are planning to conduct or are conducting business within units of the National Park System; and (4) to provide to the public the description and contact information for businesses that provide services in national parks.

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 DOI as a routine use pursuant to 5 U.S.C. 552a(b)(3) to other Federal, state and local governments, tribal organizations, and members of the general public upon request for names, addresses and phone numbers of Commercial Use Authorizations (CUA) holders conducting business within units of the National Park System for the purpose of informing the public of the availability of the services offered by the CUA holder. In addition, records or information contained in this system may be disclosed outside DOI 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 for this system.

Disclosure: Voluntary, however, failure to provide the requested information may impede our ability to 1) manage the National Park Service (NPS) Commercial Services Program allowing commercial uses within a unit of the NPS, 2) monitor resources that are or may be affected by the authorized commercial uses, and 3) provide the public the description and contact information for businesses that provide services in national parks.

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. 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, 12201 Sunrise Valley Drive, Mail Stop 242, Reston, VA 20192. Please do not send your completed form to this address.

Subfactor 4(c). Demonstrate your ability to obtain the required funds for start-up costs (those set out in 4(b)2) above) under the Draft Contract by providing credible, compelling documentation, particularly evidence from independent sources, including bank statements, financial statements, and signed loan commitment letters. Fully explain the financial arrangements you propose, using the following guidelines:

Note to Offerors and/or Offeror-Guarantor. If you will use funds from more than one source, provide information for all of the funding sources you intend to use.

1) **Owner or investor financing-** If you will obtain funds for start-up costs from cash balances or the sale of liquid assets (e.g. stocks) from an account in the name of:

- **The Offeror or the owner of a sole proprietorship, provide the following:**
 - Current bank or investment account statements that verify the account and account balance
 - Documentation of any assets to be sold
- **A parent company, an Offeror-Guarantor that is a business entity, or another related business entity, provide the following:**
 - An audited or reviewed Income Statement for the two most recent fiscal years
 - An audited or reviewed most recent fiscal year Balance Sheet
 - An audited or reviewed most recent fiscal month Balance Sheet
 - Current bank or investment account statements that verify the account and account balance
 - Documentation of any assets to be sold
 - Signed commitment letter from the company to use the balance in the account (or a specified amount) for the purpose of funding the start-up costs of the operation
- **An Offeror-Guarantor(s) that is an individual, or another individual or entity not listed above, provide the following:**
 - Current bank or investment account statements that verify the account and account balance
 - Documentation of any assets to be sold
 - Signed commitment from the party named on the account to use the balance in the account (or a specified amount) for the purpose of funding the start-up costs of the operation

2) **Debt financing-** If you will obtain funds for the start-up costs from a loan made to you by:

- **A lending institution (bank, savings and loan, etc.)** provide supporting documentation that describe the loan and, at a minimum, include the following in a letter from the lender, addressed to the National Park Service, and on the institution's letterhead.
 - Date of the letter
 - Amount of the loan
 - Interest rate of the loan

- Term (length) of the loan
- Expiration date of the commitment
- Any encumbrances on the loan
- **A parent company, an Offeror-Guarantor that is a business entity, or another related business entity, provide the following:**
 - An audited or reviewed Income Statement for the two most recent fiscal years
 - An audited or reviewed most recent fiscal year Balance Sheet
 - An audited or reviewed most recent fiscal month Balance Sheet
 - Current bank or investment account statements that verify the account and account balance
 - Documentation of any assets to be sold
 - Signed financing agreements or letters of commitment. Letters must be from the company, addressed to the National Park Service, and on company letterhead. This letter must include at a minimum:
 - Date of the letter
 - Amount of the loan
 - Interest rate of the loan
 - Term (length) of the loan
 - Any encumbrances on the loan
- **An Offeror-Guarantor(s) that is an individual, or another individual or entity not listed above, provide the following:**
 - Current bank or investment account statements that verify the account and account balance
 - Documentation of any assets to be sold
 - Signed financing agreements or letters of commitment. Letters must be from the party named on the account and addressed to the National Park Service. This letter must include at a minimum:
 - Date of the letter
 - Amount of the loan
 - Interest rate of the loan
 - Term (length) of the loan
 - Any encumbrances on the loan

Note to Offerors: The Service uses this information to verify that funds actually exist and will be available when you need them.

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 **five percent (5.0%)** of the Concessioner's gross receipts.

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. Such fee must be at least equal to the minimum franchise fee set forth above. Express this fee as a percentage of annual gross receipts. Do not propose a tiered franchise fee, e.g., 5.0% on the first \$10,000 of gross receipts, 6.0% on gross receipts between \$10,001 and \$25,000, 7.0% on gross receipts from \$25,001 and above.

percent of annual gross receipts