



United States Department of the Interior

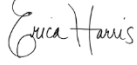


NATIONAL PARK SERVICE
INTERIOR REGIONS 6, 7, & 8
1 Denver Federal Center, Building 50
Denver, CO 80225

In Reply Refer To:
Commercial Services
CC-YELL1XX-27

Memorandum

To: All Parties Interested in the following Prospectus: *A Concession Business Opportunity to Provide Guided Interpretive Saddle and Pack Stock Tours within Yellowstone National Park* (Solicitation No. CC-YELL1XX-27, 37 Draft Contracts)

From: Erica Harris, Acting Regional Commercial Services Program Lead 

Subject: Amendment 1 to the Prospectuses and Responses to Questions to Solicitation No. CC-YELL1XX-27

This notice provides responses to questions received and amends the Prospectus for guided interpretive saddle and pack stock tours within Yellowstone National Park that the National Park Service (“NPS”) issued on April 1, 2026, for Concession Contract Nos. CC-YELL1XX-27 (37 contracts).

RESPONSES TO QUESTIONS FROM INTERESTED PARTIES

Glossary of terms used throughout this document:

- **Commercial Services Guide:** refers to the document that can be found on the Commercial Services website at the following link: https://www.nps.gov/subjects/concessions/upload/CS-Guide-Final-Ver-3-FINAL-Updated-12-16-21_508.pdf.
- **Concessioner:** refers to the new concessioner to be awarded the Draft Contract through this solicitation process.
- **Draft Contract:** refers to the new concession contract, inclusive of all exhibits, to be awarded through this solicitation process.
- **Offeror(s):** refers to the entities that submit a proposal in response to the solicitation for the Draft Contract.
- In addition, throughout this document the Service uses terms defined in the Prospectus documents.

Part II. Proposal Instructions

1. Proposal Instructions Section 2) Format In Which Proposals Must be Submitted provides instructions for how to submit multiple proposals. Does each contract being applied for need to have different uses, areas, and/or services?
NPS Response: *No. All 37 Draft Contracts require guided interpretive saddle and pack stock tours within Yellowstone National Park, with no defined areas of use other than established trails and backcountry areas open to stock. Offerors should note the term “saddle and pack stock” includes horses, ponies, mules, burros, and llamas for all Draft Contracts except for Concession*

Contracts CC-YELL106-27, CC-YELL121-27, and CC-YELL168-27, where the term is limited to llamas only.

2. Proposal Instructions Section 3) Submission Protocol for Proposals provides instructions for using the Microsoft Teams platform to upload proposals. Can I do anything until I receive the invitation to the Microsoft Teams site?

NPS Response: *The Microsoft Teams (MS) Teams site is simply the location where Offerors will upload their proposals for official submission to the NPS.*

Offerors must prepare their proposals outside of the MS Teams site, in a format which will allow the proposal to be shared, copied, and pasted easily. After the Notice of Intent to Propose date of June 3, the NPS will create an individual MS Teams site for each Offeror that has submitted a Notice of Intent to Propose and Offerors will upload electronic copies of their proposals before the proposal due date of June 17.

Part III. Proposal Package

1. Principal Selection Factor 1, Mitigating and Preventing Impacts on resources instructs offerors to “describe specific actions beyond those required by the Draft Contract.” Is Exhibit B Operating Plan considered part of the Draft Contract?

NPS Response: *Yes, the term “Draft Contract” refers to the Draft Contract and all Exhibits.*

2. Regarding Principal Selection Factor 4, Subfactor 4a, part 2a, do LLC Partnerships need to submit a Business Credit Report and Personal Credit Reports for each of the managing member partners?

NPS Response: *No. Legally recognized businesses (corporations, LLCs, etc.), including LLC Partnerships, must submit a Business Credit Report for the business entity. They are not required to also submit personal credit reports for each owner or managing member.*

3. In Principal Selection Factor 4, Subfactor 4b, part 1, can the same property be used for multiple contracts?

NPS Response: *Yes. A concessioner may hold multiple contracts and utilize the same personal property (vehicles, stock, tack, etc.) for operations under each contract as long as they are able to meet the minimum use requirements stated in Operating Plan Section A)3) Minimum Use. In accordance with the Note to Offerors, offerors will need to list this personal property within each of its proposals.*

Part IV. Draft Contract including Contract Exhibits

Exhibit B Operating Plan

1. Operating Plan Section 2)D)6)c) Guiding states: “Employees must monitor clients to ensure compliance with area regulations,” and Operating Plan Section 2)G)1) Resource Protection states: “Guides must ensure that no one is causing damage or harm to Area resources, entering a closed area, etc. Such activities will be noted in the Concessioner’s operational evaluations, which could result in a less-than-satisfactory annual overall rating.” Are you asking guides to be the police force in the backcountry to ensure clients follow regulations? We can tell guests the regulations

and ask them to follow them, but we cannot ensure that they do. We are not law enforcement employees. Is the Service putting outfitters and our employees at risk with this proposed rule?

NPS Response: *The Concessioner must inform clients of Area regulations and monitor for compliance during trips. The Concessioner is responsible for the actions of its clients and may be held accountable for knowingly allowing clients to disregard Area regulations. Should a client refuse to comply with a Concessioner's requests to adhere to Area regulations, the Concessioner should report the non-compliance to NPS law enforcement.*

2. Operating Plan Section 2)D)5)d) Sanitation Training states: "The Concessioner must provide sanitation training to employees who will serve or handle food, as needed to comply with the current edition of the FDA Food Code, RM83, and requirements presented in Section 4)N) Sanitation and Food Service." Code RM83 is nowhere to be found in any of the appendices or other documentation for this prospectus or Operating Plan, nor is it readily available on the NPS website. Where would we find said document?

NPS Response: *A website link to RM83 is provided in Operating Plan Section 3)B)2)d) Sanitation and Food Service. Operating Plan Section 2)D)5)e Sanitation Training has been updated to reflect the correct location of the Sanitation and Food Service section of the Operating Plan.*

3. Operating Plan Section 2)D)6)d) states: "Certified Guides must carry a copy of the Operating Plan Addendum while leading tours in the Area." Unless they are underage, all our guides are certified. Does everyone need to carry the Addendum? Does it need to be on their person at all times, or can it be left in our kitchen boxes in the core camp while in the Area? In an above rule it states that just one guide must have the Addendum, can you clarify?

NPS Response: *A copy of the Operating Plan Addendum must be readily available and with each group at all times. It may be kept in any accessible format or location, such as electronically on a guide's charged cell phone, as a paper copy stored in an appropriate place in camp while the group is in camp, or carried by a guide on their person, in a saddlebag, or in another easily accessible location. Operating Plan Section 2)D)6)d) has been updated to clarify the Operating Plan Addendum must be readily accessible at all times.*

4. Regarding the requirements in Operating Plan Section 3)B) Food Service, do all the regulations for food safety apply to Commercial Use Authorization holders who provide food service in the backcountry as well?

NPS Response: *Yes, the same regulations apply to Commercial Use Authorization holders, which the Service notes as not relevant to the prospectus.*

5. Operating Plan Section 3)B)2)g) Dishwashing states: "Dishes and utensils will be air dried before being placed in storage." There are times when in the operation of moving camp that there is not sufficient time to air dry dishes before an outfitter packs up and moves. Nor is there time to wash and air dry dishes when arriving at the next camp if they were not air dried that same morning. Are there times when dishes may be dried with a clean towel before they are placed in storage?

NPS Response: *Stacking wet items such as pans prevents them from drying and may allow an environment where microorganisms can begin to grow. Cloth drying of equipment and utensils is prohibited to prevent the possible transfer of microorganisms to equipment or utensils. However, the Service understands there may be times when air-drying is not feasible in backcountry operations. If it is impractical for all dishes to be air dried before moving camp, towel/paper towel drying would be preferred to stacking the dishes wet.*

6. Operating Plan Section 3)B)2)h) Potable Water Operations states: "Filtration and Disinfection. Water may be obtained from a fast-moving (if possible) source free of known chemical

contamination and then filtered and disinfected in accordance with the procedures specific in RM83.” RM83 states after chlorine bleach is added to “mix and let stand for at least 30 minutes.” What shall we do when on the trail and there is a long distance between water sources and our guests have run low on water? Are we to make them wait for one half hour before they can drink so that the chlorine can take effect and dissipate?

NPS Response: *Yes, the Concessioner must comply with the relevant portions of the most recent version of the FDA Food Code and NPS Reference Manual 83A, Public Health: Protection and Prevention (RM83), located at https://www.nps.gov/subjects/policy/upload/RM-83A_6-20-2019.pdf. Concessioners should plan ahead to ensure an adequate supply of drinking water will be available as needed. As noted in RM83A, section 3.0.1, failure to add disinfectant after filtration or boiling has resulted in a number of illness outbreaks at times affecting hundreds of people.*

General Questions

1. If an Existing Concessioner is not selected for the next contract, may they still operate in 2026?
NPS Response: *Yes. The Existing Contracts have been extended through December 31, 2026 and the NPS intends to further extend the Existing Contracts through April 30, 2027 to accommodate the effective date of the Draft Contracts, which is anticipated to be May 1, 2027. A longer extension through December 31, 2027 may be authorized if we encounter any delays that prevent the effective date of May 1, 2027.*

2. Regarding operators which intend to submit proposals for more than one contract, do proposals for different contracts need to be submitted by different business entities. And if they are approved for more than one contract, is that a separate business?

NPS Response: *No. A single business entity may submit proposals for and be awarded multiple contracts. A concession contract is an agreement between the NPS and a business and has no bearing on the business’s structure or legal status.*

Related Questions: Should a business submit proposals for and be awarded multiple contracts, do they pay a franchise fee on each contract? Do they submit an AFR for each contract? Are they inspected as a separate or combined entity?

NPS Response: *Although a single operator may hold multiple contracts, each contract is a unique agreement between the NPS and concessioner and is managed independently. The NPS conducts inspections and prepares Annual Overall Ratings on an individual contract basis. Operators holding multiple contracts are subject to the use, reporting, and fee requirements of each contract individually. An operator holding multiple contracts must submit operational and financial data for each contract independently and pay a franchise fee for each contract based on that contract’s reported gross receipts.*

3. I understand that as an Existing Concessioner, past performance, good or bad, is not to be considered in the new contract. Is this true?

NPS Response: *The past performance of the Existing Concessioner may be evaluated as part of Principal Selection Factor 3. As stated in the Proposal Instructions, Section 7) Evaluation of Proposals, Part d), “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 new concession contract.” Additionally, in accordance with 36 C.F.R. § 51.36, an Existing Concessioner must demonstrate satisfactory performance over the term of its existing contract to qualify for a Right of Preference for the new contract.

AMENDMENT 1 TO THE PROSPECTUSES:

Part IV, Draft Concession Contract Including Contract Exhibits

Draft Concessions Contract

1. Draft Contract SEC. 7 Records and Reports has been updated as follows to align with a recent NPS policy change regarding the gross receipts threshold for requiring a CPA audited or reviewed Annual Financial Report. Changes are in bold.

(b) Annual Financial Report

(1) The Concessioner must submit annually as soon as possible but not later than ninety (90) days after the last day of its fiscal year a financial statement for the preceding fiscal year or portion of a year as prescribed by the Director (“Concessioner Annual Financial Report”).

*(2) If the annual gross receipts of the Concessioner are in excess of **\$2,000,000**, the financial statements must be audited by an independent Certified Public Accountant in accordance with Generally Accepted Auditing Standards (GAAS) and procedures promulgated by the American Institute of Certified Public Accountants.*

*(3) If annual gross receipts are between **\$1,000,000, and \$2,000,000**, the financial statements shall be reviewed by an independent Certified Public Accountant in accordance with Statements on Standards for Accounting and Review Services (SSARS) and procedures promulgated by the American Institute of Certified Public Accountants.*

*(4) If annual gross receipts are less than **\$1,000,000**, the financial statements may be prepared without involvement by an independent Certified Public Accountant, unless otherwise directed by the Director.*

Exhibit B Operating Plan

1. Operating Plan Section 2)D)3)a) Staffing Requirements has been updated with the following:
 - *At least one employee per trip must possess a current Service-issued guide card, which is valid for two years after issuance.*
2. Operating Plan Section 2)D)5)d) Sanitation Training has been updated to reflect the correct location of the Food Service of the Operating Plan. Changes are in bold.
*Sanitation Training. The Concessioner must provide sanitation training to employees who will serve or handle food, as needed to comply with the current edition of the FDA Food Code, RM83, and requirements presented in **Operating Plan Sec. 3)B)2)***

3. Operating Plan Section 2)D)6) has been re-organized as follows:
- (6) *Guide Training*
- (a) *At least one employee on each stock tour must possess a current Service-issued guide card, which is valid for two years after issuance. To receive a current guide card, Concessioner employees must complete the Yellowstone Guide Training Program, which encompasses:*
- *Watching the Yellowstone Commercial Stock Outfitter and Guide Presentation located at <https://youtu.be/8tAqOxD92gE>*
 - *Having familiarity with the Operating Plan for Guided Saddle and Pack Stock Tours, and*
 - *Understanding all regulations pertaining to operating in the Area.*
- (b) *The Concessioner must confirm each of its guides has completed the above requirements by completing and submitting the Guide Eligibility Verification form (Attachment C) to the Central Backcountry Office annually, prior to conducting trips within the Area.*
- *Employees who will work within the Area, but are not guides, must be documented on the Employee list (Attachment D), also to be submitted annually to the Central Backcountry Office prior to conducting trips within the Area.*
- (c) *Additionally, the Concessioner must ensure all guides meet the following requirements:*
- *Guides must be familiar with all trails and areas used as well as conditions which may be encountered to ensure a safe and enjoyable trip for clients. Guides must have a basic knowledge of map reading.*
 - *Guides must have knowledge of and be able to provide interpretation of Area natural and cultural resources.*
 - *Guide must know, understand, and follow all Area regulations and contract requirements and monitor clients to ensure compliance with Area regulations.*
- (d) *Guides must have a copy of the Operating Plan Addendum readily accessible to them at all times while leading tours in the Area.*
4. Operating Plan Section 3)B)2)(a) is updated as follows. Changes are in bold.
- (a) *Commercial Services Standards for Backcountry Food and Beverage apply to all overnight trips where food is prepared and served. See the Concessioner Tools/Standards and Evaluations Website for the Backcountry F&B Standards (10-FBK). Additional general standards regarding sanitation and food service are outlined in the following **Operating Plan sections**. There are no defined Exclusions to Service-Specific Operating Standards 10-FBK.*