

PROPOSAL PACKAGE

CC- GRSM002-25

Department of the Interior

National Park Service

Great Smoky Mountains National Park

**Proposal to Operate Lodging, Food and Beverage, and Retail at
LeConte Lodge**

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

Regional Director
Interior Region 2
National Park Service
100 Alabama Street, S.W., Bldg 1924
Atlanta, Georgia 30303

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 Great Smoky Mountains National Park in accordance with the terms and conditions specified in the Draft Concession Contract CC-GRSM002-25, (Draft Contract) provided in the Prospectus issued by the public notice as listed on the [SAM.gov website](http://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). 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 applicable law the following (initial all that apply):

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

- 6) If a corporation, the Offeror does not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability. _____
- 7) If a corporation, the Offeror has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months. _____

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

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

- 1) To perform, in a timely and competent manner, the minimum requirements of the Draft Contract as identified in this Prospectus.
- 2) To complete the execution of the final Concession Contract within the time provided by the National Park Service when it presents the Concession Contract to the Offeror for execution.
- 3) To commence operations under the resulting Concession Contract on the effective date of the Concession Contract.
- 4) To operate under the current National Park Service approved rates until such time as amended rates may be approved by the National Park Service.
- 5) [Include only if the Offeror is not yet in existence.] 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 Tennessee, evidence that it is qualified to do business there.

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. 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

(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 Service's objectives under this factor are for the Concessioner to operate in a way that minimizes impact the Concessioner's operation and visitor activities on the Park's natural and cultural resources, including wildlife, historic structures, vegetation, and water quality.

Subfactor 1(a). Resource Protection

Using no more than two (2) pages, describe your plans regarding the protection of natural resources, including, but not limited to air quality, water quality, wildlife, and vegetation by responding to the following questions:

- 1) How would you operate this concession in a way that will protect air quality and water quality?
- 2) Describe specific actions you would take to minimize adverse impacts on wildlife and vegetation from the Lodge operation and visitor use associated with the Lodge.
- 3) Describe other actions you would take to protect natural resources in the Mt. LeConte area.

Subfactor 1(b). Preservation of the Wilderness Qualities of Mt. LeConte

LeConte Lodge is in a small area the General Management Plan designated as a General Development Zone surrounded by a large area designated as a Natural Environment Type I subzone. The Natural Environment Type I subzone is in the area nominated to be include in the National Wilderness Preservation System. The Park manages this area to prevent the loss of qualities that would make it eligible for designation as wilderness. During any visit to LeConte Lodge, visitors spend a large part of their time within the area nominated for wilderness designation, and the Concessioner has a significant opportunity to influence these visitors. The Service's objective regarding this subfactor is that the Concessioner helps preserve and foster the appreciation of the LeConte Lodge area's wilderness qualities by educating employees and visitors and through the way its operations are conducted.

Using no more than two (2) pages, describe specific actions you would take to help preserve and foster the appreciation of Mt. LeConte's wilderness qualities as a part of your operation and management of this concession facility.

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 primary objective regarding the visitor services to be provided under the Draft Contract is for the Concessioner to provide a high-quality visitor experience emphasizing safety and high-quality provision of services.

Subfactor 2(a). Backcountry Overnight Lodging and Personal Property Improvement Program (PPIP)

One reason for the LeConte Lodge's popularity and success is that this backcountry lodging facility provides overnight accommodations that strike the right balance between being rustic and having the amenities that guests need to be comfortable.

The Draft Contract also requires a Personal Property Improvement Program (PPIP) specifically for both a facility for office, check-in, issuing keys, etc., and for an open-air pavilion for visitors' recreational use.

Using no more than two (2) pages, show your ability to provide high quality backcountry overnight lodging accommodations as well as the PPIP, while preserving Mt. LeConte's wilderness qualities by responding to the following question:

- 1) describe your plans to maintain and improve the quality of overnight accommodations without causing unacceptable resource impacts, while preserving an appropriate balance between rustic and comfortable, and
- 2) describe the elements of your proposed Personal Property Improvement Program.

Subfactor 2(b). Food and Beverage Service in Remote Locations

The Lodge's remote, inaccessible location and the lack of conventional electrical service presents challenges in providing food and beverage service for guests. **Using no more than two (2) pages**, show your ability to provide high-quality food and beverage service in this remote, inaccessible location while minimizing adverse impacts on Park resources.

Subfactor 2(c). Visitor Satisfaction

Overnight Lodge guests responding to a 2002-3003 visitor survey (Appendix R) conducted on Mt. LeConte reported a 91.9 percent satisfaction rate with their most recent visit to LeConte Lodge. The Service wishes to see this high visitor satisfaction level continue and improve during the Draft Contract term. **Using no more than two (2) pages**, show your ability and plans to monitor and improve customer satisfaction by providing the following information:

- 1) explain what customer feedback systems and practices you would implement to evaluate and monitor customer satisfaction routinely in lodging, food service, and retail services.
- 2) list at least three actions you would start to increase customer satisfaction with the facilities and services provided.
- 3) how would you train, manage, and supervise staff and employees in a way that will lead to a high level of customer satisfaction?

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). Operational Experience

Using no more than 2 pages, including all text, pictures, graphs, etc.:

Describe two examples of the Offeror's experience in operating and managing lodging, food and beverage, and retail similar in scope and scale to those the Draft Contract require. If the Offeror does not yet exist, show the Offeror-Guarantor(s) experience, and explain how such experience will carry over to the Offeror entity directly. If the Offeror relies on the experience of a related entity, like Offeror-Guarantor(s), explain how that entity's

experience will benefit the Offeror's operations. For each example discussed, provide the following information by each operating department. If an Offeror provides more than two examples of operational experience, the Service will evaluate only the first two examples.

General Information

1. The operation's name and location
2. The Offeror's involvement and tenure, business status (e.g., Offeror owned and operated, sold, open but Offeror no longer operates, 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 or season of operation in which the Offeror was involved with the business
6. Operating season and hours
7. Number of employees, by peak and off-peak seasons: full-time employees, part-time employees, and seasonal employees
8. Any special operating conditions or challenges (e.g., remote location, extreme environment or weather conditions, employee retention)

Lodging

1. Number of and classification of rooms in property
2. Annual occupancy rate during most recent completed year or season
3. High, shoulder, and low season occupancy rates for the most recent completed year or season, if applicable
4. Describe any guest amenities. (e.g., swimming pool, hot tub, etc.)

Food and Beverage

1. Type of food service (grab and go, limited service, full service, fine dining, etc.)
2. Number of seats
3. Annual number of guests by meal period during most recent completed year/season

Retail

1. Type of merchandise (e.g., grocery, souvenir, specialty, fuel sales)
2. Average annual number of transactions
3. Square feet of retail space

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 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). Employee Recruitment, Training and Retention Experience

Using no more than 2 pages, including all text, pictures, graphs, etc., describe the following:

- 1) Your experience in preparing staff with the necessary information needed to live and work in a remote location and provide services to visitors effectively. Explain how you will apply this experience to the operations under the Draft Contract.
- 2) Your experience in ensuring full and efficient staffing throughout the year or season with a limited local hiring pool. Explain how you will apply this experience to ensure full staffing during the peak operating season(s) and visitation surges.
- 3) Your experience providing housing to staff members in or near the Area, or for providing transportation assistance for employees from their residences to their workplace. Include plans to provide regular transportation to shopping, activities, etc.
- 4) Your strategies to retain high-performing staff members.

Subfactor 3(d). Backcountry Lodging Accommodations

Using no more than two (2) pages:

- 1) Describe your experience in providing backcountry lodging accommodations like those at LeConte Lodge. Include the following in your response:
 - a. the facility's name and location,
 - b. dates you operated or managed the facility,
 - c. description of services provided,
 - d. your role in operating or managing this facility, and
 - e. examples of knowledge and skills learned that you would apply to operating under the Draft Contract.
- 2) Describe your experience in providing food and beverage service at a facility where remoteness, access, and minimal utility services presented a challenge. Include the following in your response:
 - a. the facility's name and location,
 - b. dates you operated or managed the facility,
 - c. description of services provided,
 - d. your role in operating or managing this facility, and
 - e. examples of knowledge and skills learned that you would apply to operating under the Draft Contract.
- 3) Describe your experience protecting natural resources while operating a business in a national park or similar area. Provide specific examples of techniques and methods you have used successfully.

- 4) Describe your experience in managing a wilderness setting facility in a way that helped to preserve and foster appreciation of the area's wilderness qualities. Include specific examples of practices and programs that were successful at achieving this objective.
- 5) Provide two examples from the last five years of your operational challenges in managing an employment program for a facility in an isolated location and how you have met these challenges. For each, provide the following:
 - a. A description of the challenge,
 - b. The methods you used to overcome the identified challenge,
 - c. Your evaluation of what was successful, what was less than successful, and lessons learned from the experience, and
 - d. how you used the lessons learned to avoid similar challenges at the same or other locations.
- 6) Provide at least three examples of successful approaches you have used to improve customer satisfaction in a business like LeConte Lodge.

Subfactor 3(e). Delivery of Supplies and Materials

The LeConte Lodge's remote, backcountry location presents numerous challenges that are not faced by businesses operating at other, road-accessible locations. One of these challenges is planning, managing, and implementing the delivery of supplies and materials to and from the Lodge.

Using no more than two (2) pages:

Show your ability to effectively handle these delivery challenges by responding to the following questions:

- 1) describe your experience, if any, in planning, managing, and implementing the delivery of supplies and materials to and from a facility in an area that is not accessible by road. Include the following information:
 - a. Facility' name and location,
 - b. scope of services offered,
 - c. delivery methods used,
 - d. your role in planning, management, and implementation,
 - e. distance from the nearest road,
 - f. method(s) used to deliver supplies and materials, and
 - g. challenges you faced and how you overcame them.
- 2) Describe your experience, if any, with the following methods of delivering supplies and materials that this Draft Contract requires:
 - a. planning, managing, and implementing helicopter operations in remote, mountainous areas, and
 - b. care and use of llamas as pack stock in a mountainous environment.

Subfactor 3(f). Repair and Maintenance in Remote Areas

Under the Draft Contract terms, the Concessioner will be required to administer the contractually required Component Renewal Reserve and meet the duties under the Draft Maintenance Plan to maintain all Concession Facilities. The LeConte Lodge's remote location often makes it difficult and expensive to hire contractors, and an extended response time must be anticipated. The Concessioner must have the ability to handle many maintenance and repair tasks with on-site staff to prevent service disruption, resource damage, or danger to public health and safety. Backpack, llama, or helicopter must deliver supplies and materials needed for repair and maintenance. Typically, the Service approves helicopter access only once each year for repairs.

Using no more than one (1) page:

- 1) Describe your experience, if any, in planning and implementing maintenance and repair projects in a remote facility that is inaccessible by road. Be specific as to the nature and scope of this experience. Include the following in your response:
 - a. the facility's name and location,
 - b. dates you operated or managed the facility,
 - c. description of maintenance and repair projects completed,
 - d. your role in completing maintenance and repair projects.
 - e. examples of knowledge and skills learned that you would apply to operating under the Draft Contract.
 - f. How you will provide on-site staff that are qualified to handle routine maintenance and repair tasks.
 - g. how you will provide qualified contractors, as required, for maintenance, repair, and construction projects.

Using no more than one (1) page:

- 2) Describe your experience in maintaining the following utility systems that LeConte Lodge uses:
 - a. potable water collection and delivery systems using gasoline pumps, hydraulic rams, and solar powered pumps,
 - b. wastewater treatment systems,
 - c. liquid propane utility systems involving multiple tanks and appliances, and
 - d. solar photovoltaic power systems.



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



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

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

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

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

Ownership	Percentage of Ownership Interests	Current Value of Investment
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: 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.



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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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>.

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ESTIMATED BURDEN STATEMENT

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

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 the Offeror's Transmittal Letter signed by 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 as an Appendix to the prospectus. The Offeror must complete all forms provided and submit both a hard copy and an Excel spreadsheet file.

This selection factor has no subfactors. The Service will score the selection factor based upon the entirety of the response.

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:

- 1) The completed **Business History Information** form provided at the end of this section 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.
- 2) A complete credit report in the name of the Offeror and a complete credit report for any entity that will provide financial assistance that includes scores and is dated within six months prior to the date of the proposal. The report must be from a major credit reporting company such as Equifax, Experian, TRW, or Dun & Bradstreet. If the Offeror is not yet formed, include a credit report for each Offeror-Guarantor.

Demonstrate the Offeror's business experience and financial capacity by providing the following:

Submit the Offeror's audited financial statements for the two most recent fiscal years, with all notes to the financial statements. Audited financial statements must also be provided for any general partners in a partnership (or deemed partnership, such as husband and wife), and all venturers in a joint venture. If the Offeror is not yet formed, submit audited financial statements for each Offeror-Guarantor.

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

If audited financial statements are not available but reviewed statements are, explain why the statements were reviewed rather than audited.

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

Certified financial statements. The Offeror (or Offeror-Guarantor(s), as applicable) must submit its financial experience including financial statements that are certified as to accuracy and completeness by an authorized officer of the entity or by the individual Offeror, as appropriate.

If none of the above are available, explain in detail why they are not available and submit:

Personal financial statements. The Offeror (or Offeror-Guarantor(s), as applicable) must submit personal financial statements certified as to accuracy and completeness by the submitting individual for each of the Offeror's principals (as listed in NPS Form 10-357A).

Demonstrate that your proposal is financially viable and that you understand the financial obligations of the Draft Contract by providing the following:

Your estimate of the acquisition and start-up costs of this business using the Initial Investment and Start-Up Expense and the Initial Investments and Start-Up Expense Assumptions forms included in the Excel spreadsheets provided as an Appendix to the prospectus. Explain fully the methodology and the assumptions used to develop the estimate. The information provided should be of sufficient detail to allow a reviewer to understand how the estimates were determined. If you are the Existing Concessioner and do not anticipate any additional initial investment or start-up costs, please state that you consider the current personal property and assets adequate to operate this concession opportunity successfully.

Using the Excel spreadsheets provided as an Appendix to the prospectus, complete the Income Statement and Income Statement Assumptions forms and the Cash Flow Statement and the Cash Flow Statement Assumptions forms found in tabs within the Excel workbook. Provide estimates of prospective revenues and expenses of the concession business in the form of annual prospective income and cash flow statements for the entire term of the Draft Contract. Complete the Operating Assumptions tab to explain your financial projections. Also complete the Recapture of Investment and the Recapture of Investment Assumptions forms. Recapture amounts should also be included in the cash flow proforma, not the proforma income statement.

Below are some general notes regarding the provided forms found in the Appendices attached to the Prospectus.

- The Service has provided forms that request the information in the format it desires. These forms may differ from the format and requirements set forth in generally accepted auditing standards (GAAS) with regard to prospective financial statements. The Service does NOT request that the prospective financial statements be reviewed in accordance with GAAS.
- Do not add or eliminate rows on the Excel spreadsheets provided in the appendix. Columns should not be deleted; however, columns may be added to reflect the number of years in the Draft Contract term, if necessary. If you wish to provide additional information, do so in additional spreadsheets, outside of the ones provided. If additional information is provided, clearly identify how it fits into the income statement, cash flow, and/or assumption tables. For the purpose of the pro forma statements, use the calendar year as the fiscal year.
- 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. Information must be sufficiently detailed to provide a full understanding of how the estimates were determined.
- Complete **all of the forms provided** and submit both a hard copy and an electronic Excel workbook file.

Demonstrate your ability to obtain the required funds for the initial investment, as listed in the Business Opportunity, and other investing activities under the Draft Contract by providing credible, compelling documentation, particularly evidence from independent sources, such as bank statements, audited or reviewed financial statements, and signed loan commitment letters. Fully explain the financial arrangements you propose, using the following guidelines.

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

- 1) If funds are to be obtained from cash on hand or operating cash flows from the Offeror's current business, document each source and the availability of these funds by providing your previous and current audited financial statements for the two most recent fiscal years, with all notes to the financial statements (see 4(b) above if audited financial statements are not available). Depending on the Offeror's form of entity, provide audited financial statements for any individual Offerors, general partners in a partnership, and all venturers in a joint venture.

- 2) If the Offeror is not formed and the Offeror-Guarantor is funding the required start-up costs, provide for each Offer-Guarantor the documentation for the appropriate type of Offer-Guarantor (individual, business entity) as described below.
- 3) If funds are to be obtained from lending institutions (banks, savings and loans, etc.), provide supporting documents including but not limited to documents that describe the approximate amount of the loan, the term of the loan and any proposed encumbrances on the Draft Contract. Include a letter (addressed to the National Park Service from the lender on the lending institution's letterhead) stating the amount of funds available to the Offeror at the date of the letter. In addition, 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 along with their 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.
- 4) If funds are to be obtained from an individual, or a business entity whose primary fund source is an individual, provide the following as appropriate with respect to such individual:
 - Signed funding commitment from the individual (stating the approximate amount of the loan, the term, and any proposed encumbrances on the Draft Contract)
 - Current personal financial statement certified as to accuracy and completeness by the individual submitting it
 - Current bank/financial institution documents that verify the account(s) and account balance(s) for the primary fund source
 - Documentation of any assets to be sold
 - Any other assurances or documents that demonstrate that the funds are available
- 5) If funds are to be obtained from working capital liabilities (such as advance deposits), please provide estimates and a rationale for each estimate. The information provided should be of sufficient detail to allow a reviewer to fully understand how the estimates were determined.
- 6) If funds are to be obtained from another source (e.g., a business entity whose primary fund source is not an individual), provide the following as appropriate:
 - Signed funding commitment from the fund source stating the approximate amount of the loan, the term, and any proposed encumbrances on the Draft Contract
 - Current audited financial statements for the most recent year (see 4(b) above if audited financial statements are not available)
 - If the current audited financial statements do not evidence that the source has the necessary funds to make the funding commitment, provide additional documentation.

NOTE: *If the Offeror is obtaining even a part of the necessary funds from another, the Service must be able to determine from the documents submitted that the Offeror is highly likely to obtain either a stated amount or an unlimited amount of funding from an entity with sufficient financial capability to provide the funds.*



**BUSINESS HISTORY INFORMATION FORM
PROPOSAL PACKAGE
CC-XXXX000-XX
(Principal Selection Factor 4)**



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

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>.

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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:

13% of gross receipts for gross receipts from \$0 to \$ 2,250,000; plus

22% of gross receipts for gross receipts greater than \$2,250,000.

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 receipt thresholds of each tier.

Gross Receipt Tier	Minimum Franchise Fee Required (% of Annual Gross Receipts)	Proposed Franchise Fee (% of Annual Gross Receipts)
\$0 to \$2,250,000	13.0%	
Greater than \$2,250,000	22.0%	

SECONDARY SELECTION FACTORS**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)**

Note to Offeror: *This secondary selection factor focuses on environmental management programs and activities that promote general environmental objectives such as waste reduction, green procurement, and recycling. Please avoid overlap between your response here and your response to Principal Selection Factor 1. For this Secondary Selection Factor, please respond only with the information requested in the subfactors.*

Environmentally Friendly Business Practices

The Service strives to be a leader in adopting and implementing environmentally preferable best management practices (BMPs). Please describe the environmentally preferable BMPs (not already described under other selection factors) that you will adopt and implement as a part of your operations under this Contract for each of the topics below. In **4 pages or less**, describe specific actions you will take in each of the following areas:

- 1) Solid waste reduction (including but not limited to recycling). Note that composting within the Park is not a viable option.

SECONDARY SELECTION FACTOR 2. HEALTHY AND SUSTAINABLE FOOD CHOICE IN BACKCOUNTRY OPERATIONS. (0-2 POINTS)

As a part of the NPS's Healthy Parks Healthy People initiative, Healthy and Sustainable Food Choice Guidelines for Backcountry Operations (Appendix M of this prospectus) has been developed. These guidelines consider the special operating conditions of commercial backcountry food operations. In **3 pages or less**, describe how you will enhance the park's goal of healthy parks and healthy people according to these guidelines by responding to the following questions:

- 1) describe healthy and sustainable food standards and practices you will institute that meet or exceed the minimum requirements described in Operating Plan Section 10, C. Outline policies and procedures you will put in place to achieve these standards and practices, and
- 2) provide a proposed menu for evening meals, breakfasts, and overnight guest lunch options,
- 3) provide examples of food items that will be available in the bagged hiker lunch option, and
- 4) describe how you will communicate healthy and sustainable food choices LeConte Lodge offers to visitors.

SECONDARY SELECTION FACTOR 3. RESOURCE EDUCATION PROGRAMS. (SCORING: 0 – 1 Points)

Describe in **2 pages or less** three specific actions you will take to enhance the Resource Education activities the Draft Operating Plan (Exhibit B) require that will support the Park's interpretive themes, goals, and objectives. Address both personal interpretive services (e.g., guest interaction, guided tours, etc.) and non-personal interpretive services (e.g., sales items, signs, website, etc.).