

PROPOSAL PACKAGE

CC-EVER001-14

Department of the Interior

National Park Service
Everglades National Park

**Proposal to Operate Lodging, Camping, Tour Boat, Food and Beverage,
Retail, and Other Services within Flamingo**

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 not, your proposal may be considered non-responsive, even though 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

To:

Regional Director
Southeast Region
100 Alabama St., SE
Atlanta, GA 30303

Dear Director:

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-GLBA001-14, (Draft Contract) provided in the Prospectus issued by the public notice as listed in the Federal Business Opportunities (www.fedbizopps.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). 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:

- 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.
- 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.
- 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.
- 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.
- 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.

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

- 1) To the minimum requirements of the Prospectus as identified in Part A of this Proposal Package.

- 2) To complete the execution of the final Concession Contract within the time provided by the National Park Service when it presents the contract 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) To acquire the Possessory Interest and Other Property, including merchandise inventory, of the Existing Concessioner under the terms of the Existing Contract.
- 6) To resolve any dispute regarding the value of the property of the Existing Concessioner in accordance with the terms of the Existing Concession Contract and to allow the National Park Service to participate in the Other Property value determination in the same manner and to the same extent as provided for with respect to Possessory Interest value determinations as described in 36 C.F.R. Part 51, Subpart H.
- 7) [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.
- 8) [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);
 - Governance documents of Offeror (e.g. Articles of Incorporation and By-Laws for corporations; 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 Alaska, evidence that it is qualified to do business there.

OFFEROR or OFFEROR-GUARANTOR (if the Offeror is not yet in existence as of the time of submission):

BY _____ DATE _____
 (Type or Print Name)

ORIGINAL SIGNATURE _____

TITLE _____

ADDRESS _____

CERTIFICATE OF BUSINESS ENTITY OFFEROR
(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 herein; that I signed this proposal for and on behalf of the Offeror, 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 _____

PART A

The minimum requirements for the Draft Contract are identified in this Part A of the Proposal Package. If the Offeror, in its transmittal letter, does not agree to these minimum requirements, its proposal will be considered non-responsive. (The requirements of Part B of this Proposal Package outline detailed submissions referred to in this part, as well as additional secondary selection factors.)

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.

The Offeror agrees to comply with all terms and conditions specified in the Draft Contract, including compliance with all applicable laws, including, without limitation, environmental protection and conservation laws.

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.

The Offeror agrees to operate at the current Service approved rates during the term of the Concession Contract until such time as a new rate schedule is approved by the Service, in accordance with 16 U.S.C. § 5955.

The Offeror agrees to accept the Concession Facilities, and any assigned government personal property "as is" as required by the Draft Contract, Section 8(f).

The Offeror accepts the draft Operating Plan included as Exhibit B of the Draft Contract.

The Offeror accepts the draft Maintenance Plan included as Exhibit H of the Draft Contract.

The Offeror agrees to fund and use the "Repair and Maintenance Reserve" of **zero point seven percent (0.7%)** of annual gross receipts over the contract term, as described in the Draft Contract.

The Offeror agrees to implement an equal opportunity program.

The Offeror agrees to develop and implement an effective health and safety program (Concessioner Risk Management Program), according to the requirements of the draft Operating Plan for such programs.

PRINCIPAL SELECTION FACTORS 3 AND 4 DO NOT HAVE SPECIFIC REQUIREMENTS FOR THIS PART A. NEVERTHELESS, INFORMATION IS REQUIRED FOR PRINCIPAL SELECTION FACTORS 3 AND 4 IN PART B. FAILURE TO PROVIDE MATERIAL INFORMATION REQUIRED THEREUNDER MAY RESULT IN AN OFFEROR BEING DEEMED NON-RESPONSIVE.

PRINCIPAL SELECTION FACTOR 5. THE AMOUNT OF THE PROPOSED MINIMUM FRANCHISE FEE, IF ANY, AND/OR OTHER FORMS OF FINANCIAL CONSIDERATION TO THE DIRECTOR.

The Offeror agrees to at least the minimum franchise fee of **four point seven percent (4.7%)** of annual gross receipts.

PART B

Response Format

For the page limits set out in these Principal Selection Factors, please note that the Service will not review or consider the information on any pages that exceed the page limitation stated, including attachments, appendices or other additional materials the Offeror submits. The Service considers text on two sides of one sheet of paper to be two pages. Offerors must use normal sized font, such as 11 or 12 point, and 1 inch margins on all sides, in the body of the proposal. Tables, charts, graphs, provided forms, and copies of sample material using less than 11 point font is acceptable. The Service would like to see clear and concise answers. A longer answer will not necessarily be considered a better answer. Please respond only with the information requested in the subfactors.

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 preserve Concession Facilities and to educate visitors about Park resources, boating safety and wildlife protection. Specifically, the Service seeks a Concessioner that will address deferred maintenance and maintain facilities over the term of the Draft Contract. The Service would also like to ensure that the Concessioner informs visitors about environmental issues in the Everglades and about responsible ways to participate in recreational activities.

In the following subfactor, demonstrate your ability to provide a comprehensive maintenance program for the care of Concession Facilities. Refer to the Operating Plan and Maintenance Plan, attached as Exhibits B and H to the Draft Contract, for the definitions of terms used in the subfactor and other requirements.

Subfactor 1(a). Experience Maintaining Concession Facilities and Managing Construction Projects

The Concession business opportunity includes the operation and maintenance of a number of facilities at Flamingo, as well as the construction of new structures that will have to be maintained to a high standard.

Using not more than **20 pages**, including all text, pictures, graphs, etc.:

- 1) Provide an example of your experience and expertise relating to the maintenance of facilities. Address the following:
 - a) Describe your overall strategy for identifying, prioritizing, and undertaking routine maintenance and deferred maintenance.
 - b) Describe how you implemented your overall strategy explained above.
 - c) Describe how you completed work during the busy season with limited disruption to guests.
 - d) Describe your process for shutting down and starting up operations, if your example involves seasonal services.
 - e) Describe your proposed process for determining and monitoring the condition of the Concession Facilities assigned under the Contract, including any computerized systems you will use.

- f) Describe the steps you will take to secure certain seasonal facilities and store personal property during the off season. How will you protect personal property from heavy winds, rains, and storm surge?

The Draft Contract requires the Concessioner to undertake and complete a Concession Facilities Improvement Program (CFIP). Within the first two years, the Concessioner must build 24 new guest cottages and complete site work and utility system improvements near the site of the former Flamingo Lodge.

Using not more than **15 pages**, including all text, pictures, graphs etc.:

- 2) Demonstrate your experience in managing a construction project, including project management, construction management, and administrative responsibilities by providing an example of a construction project you have completed. Include in the example:
 - a) Type and size of the facility
 - b) Construction costs
 - c) The total duration of the construction project, from design until project close out
 - d) Unplanned events encountered during the project and what steps you took to keep on schedule

The Service will consider experience and qualifications of a third-party contractor if the Offeror demonstrates a firm commitment from that contractor to undertake the projects described in Section 9(d) of the Draft Contract.

Subfactor 1(b). Resource Education and Public Awareness

Using no more than **25 pages**, including all text, pictures, graphics, etc.:

- 1) Describe how you will educate visitors about the unique resources of the Everglades and the Flamingo area. Specifically, how will you ensure that visitors have adequate boating safety briefings and are informed about the potential wildlife impacts associated with recreational boating and fishing activities? What interpretive messaging or programs will you direct toward lodging and camping guests? How will you ensure that food and beverage service—at the Buttonwood Café and purchased in the Marina Store—does not attract wildlife?
- 2) Describe how you will market the natural experience, concession services, and recreational opportunities available at Flamingo. Outline your marketing strategy, identify your target market segments, and specify the different media and organizations you will use to implement the strategy. Explain how this strategy is especially appropriate to a national park setting. Include your ideas, concepts, and examples of the advertising campaign you will use to market the services and recreational opportunities available at Flamingo.

PRINCIPAL SELECTION FACTOR 2. THE RESPONSIVENESS OF THE PROPOSAL TO THE OBJECTIVES, AS DESCRIBED IN THE PROSPECTUS, OF PROVIDING NECESSARY AND APPROPRIATE VISITOR SERVICES AT REASONABLE RATES. (0 - 5 POINTS)

Service Objectives

The Service's objectives for this Principal Selection Factor are for the Concessioner to provide high-quality services, at reasonable rates and in a manner that contributes positively to a visitor's overall Park experience. The Service wants visitors to have a positive dining experience at the Buttonwood Cafe, and would like the concessioner to provide a selection of quality retail items appropriate to the Park. The Service also believes camping accommodations will comprise an integral component of the Park experience for many visitors, and would like the Concessioner to provide a comfortable camping experience.

Subfactor 2(a). Buttonwood Café Operations

The Buttonwood Café occupies a relatively small space and has a limited, non-permanent kitchen facility. The Operating Plan states that the Concessioner must follow the NPS Core Menu Guidelines and offer healthy food options and a range of items that provides for a wide variety of choices for visitors, including vegetarian, heart healthy, and light eater's entrées and children's menus.

Using not more than **10 pages**, including all text, pictures, graphs, etc.:

- 1) Describe your strategies to provide quality food at a various price points and describe how you plan to offer quality service including limited wait times given the constraints of the Buttonwood Café operation.
- 2) Describe your strategies to meet the Service's healthy food criteria, with emphasis on the following:
 - a) Fresh produce
 - b) Locally grown or sourced items
 - c) Organic foods
 - d) Reducing items containing trans-fats

Subfactor 2(b). Merchandise that Highlights the Interpretive Themes of the Park

Retail operations in the Park should provide visitors with high-quality merchandise that appeals to a wide range of visitors at a variety of price points and supports the Park's interpretive themes.

Using not more than **20 pages**, including all text, pictures, graphs, etc.:

- 1) Describe how you will develop and implement an interpretive theme-based retail operation at Flamingo.
- 2) Provide narrative explanations of merchandise you will include at the retail operations at the gift shop and mercantile. List 10 items, and include your logic for selecting the item(s) and how the item(s) support the Park's interpretive themes. Do not provide the sample merchandise itself. You may provide product specifications or pictures of merchandise.
- 3) How do you propose to utilize the space in the Marina Store to provide gifts and apparel, camping supplies and groceries/pre-packaged food? Please be as specific as possible about your plans for maximizing the efficiency of the space.

Subfactor 2(c). Improving the Camping Experience

Using not more than **15 pages**, including all text, pictures, graphs, etc.:

- 1) Describe your plan for improving the Flamingo and Long Pine Key campgrounds in order to appeal to a wider range of visitors. Examples of improvements may include, but are not limited to, proposals for additions or replacements of personal property, introduction of new activities or amenities as well as site/grounds improvements. Specific examples include night-time interpretive programs, screening/separation of campsites with native plants, etc. Do not propose items that may generate Leasehold Surrender Interest, and the Service will not consider such items if proposed.

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 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 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 define the Offeror's relationship to all superior and subordinate entities. Identify the entity, if other than the Offeror, that has the authority to allocate funds, 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 a limited liability company, a partnership, or a joint venture, identify and provide information about each managing member or general partner or venturer, respectively.

Submit your organizational documents (e.g., partnership agreement, articles of incorporation).

Using the appropriate Business Organization Information form (as applicable) at the end of this section, 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) 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, without limitation, all levels of parent organizations, their relationship to the Offeror, and the precise extent of their ownership interests.
- 4) The name, address and, if applicable, form of business entity of all related, subordinate, or superior 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.

Subfactor 3(a). Operational Experience

Describe one example of the experience of the Offeror in the operation and management of hospitality services (including overnight accommodations, food and beverage, and retail sales).

Using not more than **20 pages**, including all text, pictures, graphs, etc., provide the following information for the operation:

- 1) General Information
 - a) Name of operation
 - b) Location of operation
 - c) Time frame of experience, with dates

- d) Role in the operation
 - e) Description of services provided
 - f) Annual gross receipts, by department if applicable
 - g) Average daily rate or check during most recently completed year/season for each service type
 - h) Operating season and hours
 - i) Number of employees during high and low seasons
 - j) Any special operating conditions or challenges posed by a semi-remote environment
 - k) Any awards or recognition of excellence
- 2) Overnight Accommodations
 - a) Number of rooms in property
 - b) Annual occupancy during most recent completed year/season
 - c) Any rustic lodging or camping services, if provided
- 3) Food and Beverage
 - a) Type of food service (convenience, limited service, full service)
 - b) Number of seats
 - c) Annual number of guests by meal period during most recent completed year/season
- 4) Retail Sales
 - a) Average annual number of transactions during most recent completed year/season
 - b) Square feet of retail space

Subfactor 3(b). Recruitment and Retention and Employee Training

A high quality, skilled and motivated employee staff is a critical component of meeting visitor needs at Flamingo. The operation faces challenges to recruitment and retention such as an isolated location and very few year-round employment opportunities.

Using not more than **20 pages**, including all text, pictures, graphs, etc.:

- 1) Describe your process for maintaining high quality, skilled and motivated employee staff by providing the following:
 - a) Explain how you will recruit for specific positions considering the seasonal nature of the operations.
 - b) Provide a description of how you will retain excellent management and staff employees during a given season, and how you will encourage them to return for another season.
 - c) Provide a description of benefits that you will offer your employees, both permanent and seasonal
- 2) Substantiate your experience by providing an example of a staffing challenge you have successfully met.
- 3) Describe how you will train employees to provide excellent customer service and a memorable hospitality experience to visitors. Include your plans for managing employee orientation, mid-season hires, and specific services provided under the Draft Contract. Describe your program for both management and staff employees.
- 4) Describe how you will train your employees about the Service and the Park's natural and cultural resources and to provide such information to park visitors.
- 5) Describe how you will evaluate the success of this training.

Subfactor 3(c). Staffing Qualifications

The Service is seeking Offerors that demonstrate a commitment to excellence in providing personnel with substantial professional experience to carry out the responsibilities of the Draft Contract.

Using not more than **10 pages**, including all text, pictures, graphs, etc.:

- 1) Describe the function and necessary qualifications for the individuals you will employ for each of the following positions in a tabular format like the one shown below. Do not submit resumes or describe the qualifications of specific individuals.

Minimum Qualification Information (Offerors may provide more information than called for in this table)			
	Critical Functions of Position	Minimum Qualifications	Certifications (if applicable)
General Manager			
Lodging Manager			
Food & Beverage Manager			
Maintenance Manager			
Environmental Manager			

- 2) Describe the minimum standards and procedures you will apply to the pre-screening, hiring, training, and termination of personnel (for example, applications, drug testing, law enforcement clearances, reference checks, and interview requirements).

Subfactor 3(d). Violations or Infractions

The Service is aware that any business may receive the occasional audit deficiency, 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.

- 1) For 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 for joint ventures, each venturer) and all parent entities, subsidiaries or related entities under the primary organizational entity (that is, a parent corporation and all subsidiaries), that provide the same or similar services as required or authorized by the Draft Contract, whether as a principal or employee of Offeror or otherwise, identify all Infractions issued by a federal or state regulatory agency in the last five years. If the Offeror has not yet been formed, the Offeror-Guarantor should respond to the items in this sub-factor for itself and its affiliates as identified above. For each Infraction by each of the above-listed individuals or entities, provide the following:
 - a) The basis for the Infraction
 - b) The entity that issued the Infraction
 - c) When the Infraction was issued
 - d) How the Infraction was addressed
 - e) How you will ensure that the problem is minimized or does not recur
 - f) Describe the entities you considered in preparing this response, why you included those included and why you excluded those you omitted.

Do NOT submit copies of the Infraction report, tabular submissions are preferred.

- 2) If the Offeror (as defined above to include the identified affiliates) has not received any Infraction in the last five years, explain how you would respond if you do receive an Infraction and the process you would follow to resolve such Infractions and minimize future occurrences.

FORM 1

<p>BUSINESS ORGANIZATION INFORMATION CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP OR JOINT VENTURE (PRINCIPAL SELECTION FACTOR 3)</p>

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 and all parent entities to the Offeror with respect to funding and management.

FORM 2

**BUSINESS INFORMATION
INDIVIDUAL * OR SOLE PROPRIETORSHIP
(PRINCIPAL SELECTION FACTOR 3)**

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 a husband and wife jointly as a purported business entity. Either one individual must serve as the Offeror or the husband and wife 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.

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), which must unconditionally state and guarantee that the Offeror-Guarantor(s) will provide the Offeror with all funding, management and other resources that the Draft Contract requires and the proposal offers.

All forms are provided electronically on the enclosed compact disk. 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 by providing the following:

- 1) The completed Business History Information form provided at the end of this section.
- 2) Audited financial statements for the two most recent fiscal years, with all notes to the financial statements. Audited financial statements should be provided for the Offeror AND all parent companies. Audited financial statements must be provided for any individual Offerors, general partners in a partnership, managing members of a limited liability company and all venturers in a joint venture. If the Offeror is not yet formed, include audited financial statements for each Offeror-Guarantor.

-OR-

If audited financial statements are not available, present an explanation in sufficient detail to enable a reviewer to fully understand the reasons why audited financial statements are not available (for example, if reviewed statements were submitted instead of audited statements, include an explanation as to why the statements were reviewed and not audited), but include financial statements of each Offeror-Guarantor if the Offeror is not yet formed.

- 3) A CURRENT credit report (within the last six months) in the name of the Offeror 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.

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

- 1) 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 Expenses 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 will have no initial investment or start-up costs, please include that information on the form.
- 2) 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 to the Excel spreadsheets. 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. Also complete the Operating Assumptions tab to explain your financial projections.

General notes regarding the forms provided as an Appendix 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. 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 utilize 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 spreadsheet file. Failure to provide all of the information requested on these forms may result in a reduced score.

Subfactor 4(c). Demonstrate your ability to obtain the required funds for start-up costs, the Concession Facilities Improvement Program (CFIP), and continued operations 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 commitments letters. Fully explain the financial arrangements you propose, using the following guidelines:

- 1) If funds are to be obtained from operating cash flows, document each source and the availability of these funds by referring to your previous and current audited financial statements.
- 2) If funds are to be obtained from lending institutions (banks, savings and loans, etc.), provide financing agreements, letters of commitment or similar supporting documents. The support documents must, at a minimum, include the amount of the loan, the interest rate, the term of the loan and any encumbrances on the loan. Also, include a letter addressed to the National Park Service from the lender stating the amount of funds available to the Offeror at the date of the letter and at the projected effective date of the Draft Contract. The letter must be on the lending institution's letterhead and include a statement that the Offeror has authorized the lending institution to release any information to the National Park Service concerning relevant financing arrangements.
- 3) 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.
 - Current personal financial statement certified as to accuracy and completeness by the individual submitting it.
 - Current bank/financial institution documents that verify the account and account balance for the primary fund source.
 - Documentation of any assets to be sold.
 - Any other assurances or documents that demonstrate that the funds are available.
- 4) 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.
- 5) 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.
 - Evidence that the source has the necessary funds to operate this business opportunity.

**BUSINESS HISTORY INFORMATION FORM
(PRINCIPAL SELECTION FACTOR 4 - SUBFACTOR 4A)**

Business history information should be provided for the Offeror AND all parent companies. If the Offeror has not been formed yet, business history information should be provided 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. (If none, then so indicate). Attach 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.
- 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.
- 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.

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 **four point seven percent (4.7%)** of 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 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 at least equal 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% on the first \$10,000 of gross receipts, 6% on gross receipts between \$10,001 and \$25,000, 7% on gross receipts between \$25,001 and above.

_____ percent of annual gross receipts

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)

Service Objectives

The Service seeks environmentally friendly business practices, notably in the areas of sustainability and energy conservation; reduction of greenhouse gas emissions, purchasing of environmentally preferable products, fixtures and merchandise; solid waste reduction; recycling; and other similar proactive actions from a Concessioner. In responding to this Secondary Selection Factor, Offerors should review the provisions in the Draft Contract, including its Exhibits (especially Exhibit H, Maintenance Plan) for the baseline provisions required by the Service.

Subfactor 1(a). Day Tour Boats and Houseboats

The Park has outlined its desired operational standards for the day tour vessels and houseboats in the Operating Plan and the Business Opportunity section of this prospectus. The Park is interested in understanding how the Offeror will implement these standards.

Using not more than **10 pages**, including all text, pictures, graphs etc.:

- 1) For both day tour vessels and houseboats, describe your proposals for implementing vessel systems that reduce potential for resource impacts or environmental demands (e.g. advanced sewage handling system, use of bio-fuels or alternative energy, low wake design, lower fuel consumption, reduced ambient and underwater noise).
- 2) For the day tour vessels, describe your proposals for enhanced passenger comfort and amenities such as better seating and viewing opportunities, loaner binoculars, hydrophone or underwater video camera, passenger area display of vessel location and course, etc.

Subfactor 1(b). Solid Waste Management and Fuel, Energy and Water Conservation

Using not more than **20 pages**, including all text, pictures, graphs etc.:

- 1) Describe how you will reduce solid waste generated by your operation. At a minimum your response must describe a recycling program, including training, signage, containers, and other infrastructure needed to support this effort. Do not propose capital improvements that could be eligible for Leasehold Surrender Interest. Describe your measurable goals and how you will evaluate your success at reducing solid waste.
- 2) Describe how you will reduce greenhouse gas emissions and energy consumption generated by buildings, vehicles, equipment, and appliances associated with Concession operations. Describe your measurable goals and how you will evaluate your success at reducing greenhouse gas emissions.
- 3) Outline the specific steps you will take above and beyond the requirements of the Maintenance Plan to ensure that all departments will conserve water and reduce use throughout the term of the Draft Contract. Describe your measurable goals and how you will evaluate your success at reducing water use.

SECONDARY SELECTION FACTOR 2. THE ABILITY AND EXPERTISE OF THE OFFEROR TO COMPLETE THE CONCESSION FACILITIES IMPROVEMENT PROGRAM. (0-3 POINTS)

The Draft Contract requires the Concessioner to undertake and complete a Concession Facilities Improvement Program (CFIP). Within the first two years, the Concessioner must build, among other structures and/or facilities, 24 new elevated guest cottages and complete site work and utility system improvements near the site of the former Flamingo Lodge. Guidelines and parameters concerning the new construction are specified in Appendices J through P of this Prospectus and the Draft Contract, Section 9(d).

Subfactor 2(a). Design of New Elevated Guest Cottages and Eco-Tents and Lodging Area Site

Using not more than **25 pages**, including all text, pictures, graphs, etc.:

- 1) Provide your design concepts and construction specifications for the elevated guest cottages and eco-tents and the sites on which they will be located. Specifically address how you will make efficient use of the square footage of the cottages and how you will take advantage of the location of the cottages. Describe the materials that will be used to construct and finish the cottages, and why those materials are appropriate for the Park setting and the climatic and environmental challenges at Flamingo. Also provide your design concept for the check-in area, which will be located in the historic service station building.
- 2) Describe how the exterior appearance of the elevated cottages will be appropriate for the setting within Everglades National Park.
- 3) Describe how the interior décor of the elevated cottages will be appropriate for the setting within Everglades National Park.