

**PROPOSAL PACKAGE**

**Slip Rentals, Fuel Service, and Parking Service  
at James Creek Marina  
National Capital Parks-East**

**CC-NACE006-09**

*Department of the Interior*

National Park Service



**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 draft Concession Contract. The letter must bear original signatures and be included in the Offeror's Proposal Package. The National Park Service (NPS) 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 formally in existence as of the time of submission of a proposal, a proposal must demonstrate that the individuals or organizations that intend to establish the entity that will become the Concessioner have the ability and are legally obliged to cause the entity to be financially and managerially capable of carrying out the terms of the draft Concession Contract. In addition, the Offeror must unconditionally state and guarantee in its proposal that the Offeror will provide the Concessioner with all funding, management, and/or other resources that the proposal offers.



## OFFEROR'S TRANSMITTAL LETTER

To:

Regional Director  
National Capital Region  
1100 Ohio Dr., SW  
Washington D.C. 20242

Dear Director:

The Offeror hereby agrees to provide visitor services and facilities within National Capital Parks-East in accordance with the terms and conditions specified in the draft Concession Contract CC-NACE006-09, provided in the Prospectus issued by the public notice as listed in the Federal Business Opportunities ([www.fedbizopps.gov](http://www.fedbizopps.gov)) on May 26, 2009, and to execute the draft Concession Contract without substantive modification (except as may be required by the National Park Service pursuant to the terms of the Prospectus).

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 of 18 U.S.C. 1001. The Offeror agrees to meet all the minimum requirements of the draft Concession Contract, and the Prospectus, and that the Offeror has provided all of the mandatory information specified in the Prospectus.

The Offeror certifies in accordance with 43 C.F.R. Part 42 the following:

- Any of the individuals or entities seeking participation in this Concession Contract are not 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 seeking participation in this Concession Contract have 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 seeking participation in this Concession Contract are 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 offenses.
- 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 new Concession 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 thirty working days after it is presented by the National Park Service.
- 3) To commence operations under the new Concession Contract on the effective date of the new Concession Contract.
- 4) To operate under the current, National Park Service approved rates to visitors, until such time as amended rates may be approved by the National Park Service.
- 5) To acquire the Possessory Interest, Other Property, and merchandise inventory of the existing Concessioner under the terms of the existing Concession 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 Personal 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 to be the Concessioner under the draft Contract.] To provide the entity that is to be the Concessioner under the draft Contract with the funding, management, and other resources described in our proposal.

BY \_\_\_\_\_ DATE \_\_\_\_\_  
(Type or Print Name)

ORIGINAL SIGNATURE \_\_\_\_\_

TITLE \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATE OF CORPORATE OFFEROR**  
(Offerors who are not corporations should skip this certificate)

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ of the corporation named as Offeror herein; that \_\_\_\_\_, who signed this proposal on behalf of the Offeror, was then \_\_\_\_\_ of said corporation; that said proposal was duly signed for and in behalf of the corporation by authority of its governing body within the scope of its corporate powers.

BY \_\_\_\_\_ DATE \_\_\_\_\_  
(Type or Print Name)

ORIGINAL SIGNATURE \_\_\_\_\_

TITLE \_\_\_\_\_

ADDRESS \_\_\_\_\_  
\_\_\_\_\_



**CERTIFICATE OF LIMITED LIABILITY CORPORATION (LLC) OFFEROR**

(Offerors who are not LLCs should skip this certificate)

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ of the LLC named as Offeror herein; that \_\_\_\_\_, who signed this proposal on behalf of the Offeror, was then \_\_\_\_\_ of said corporation; that said proposal was duly signed for and in behalf of the LLC by authority of its governing body within the scope of its corporate powers.

BY \_\_\_\_\_ DATE \_\_\_\_\_  
(Type or Print Name)

ORIGINAL SIGNATURE \_\_\_\_\_

TITLE \_\_\_\_\_

ADDRESS \_\_\_\_\_  
\_\_\_\_\_



## PART A

The minimum requirements for the new Concession Contract are identified in this Part A of the Proposal Package. If the Offeror, in its Offeror's Transmittal Letter, does not agree to these minimum requirements, the proposal will be considered non-responsive. A copy of Part A must be included in the Offeror's proposal. (The requirements of Part B of this Proposal Package outline detailed subfactor submissions referenced in this part, as well as an additional secondary selection factor.)

**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 AREA.***

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

**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 comply with all the terms and conditions specified in the Concession Contract, including its exhibits.

The Offeror agrees to operate at the current NPS approved rates during the term of the Concession Contract until such time as a new rate schedule is approved by the Director, in accordance with 16 U.S.C. 5955. A selected Offeror may request a rate increase at any time after the selection of the best proposal is made by the NPS.

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

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

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

The Offeror agrees to implement an equal opportunity program and comply with the terms of the equal opportunity and handicapped access requirements of the draft Concession Contract.

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.

The Offeror agrees to meet the public liability and property insurance requirements of the draft Concession Contract and agrees to provide liability and property insurance of at least the types and levels of coverage described in the draft Concession Contract.

**PRINCIPAL SELECTION FACTORS 3 AND 4 DO NOT HAVE MINIMUM REQUIREMENTS FOR THIS PART A. INFORMATION IS REQUIRED FOR PRINCIPAL SELECTION FACTORS 3 AND 4 IN PART B.**

**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 **eighty percent (80.0%) on parking revenue and one percent (1.0%) on gross receipts from all departments excluding parking**, per Principal Selection Factor 5.

**PART B****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 AREA. (0-5 Points)****Service Objectives**

The Service's objectives under this factor are for the Concessioner to protect, conserve, and preserve the Concession Facilities focusing on the rehabilitation, and maintenance of the facilities, as well as to prevent spills, releases and pollution from water-based services.

A condition assessment of James Creek Marina completed in 2008 indicated a significant amount of deferred maintenance exists in the facilities. The total deferred maintenance for the Concession Facilities is estimated at \$469,000. The Service desires the new concessioner to strategically reduce current deferred maintenance, and prevent future deferred maintenance. The Service will provide data on deferred maintenance upon award of the new contract. Estimated costs for specific deferred maintenance tasks are presented in Appendix J of this Prospectus.

In the following subfactors, demonstrate your experience and ability to provide a comprehensive maintenance program for the care of Concession Facilities, and your ability to protect water quality. Please limit your response to the information specifically requested in the subfactor. In addition, refer to the Maintenance Plan, attached as Exhibit H to the Draft Contract, for the definition of terms used in the subfactors and other requirements. Offerors should not propose actions that would result in an increase to Leasehold Surrender Interest.

**Subfactor 1a: Deferred Maintenance.** Using not more than 25 pages, including all text, pictures, graphs etc., explain how you will strategically reduce deferred maintenance to improve facility condition by addressing the following:

1. Describe an overall portfolio strategy for identifying, prioritizing and addressing deferred maintenance.
2. Describe how you will implement the strategy you described above with consideration of anticipated funding and operational conditions.

**Subfactor 1b: Maintaining Assets.** Using not more than 25 pages, including all text, pictures, graphs, etc., demonstrate your ability to develop and conduct a preventive and cyclic maintenance program of Concession Facilities by providing the following information:

1. Describe your proposed process for determining asset condition.
2. Describe your proposed method for tracking asset condition.
3. Based on asset condition and tracking method, describe your proposed process for setting priorities for maintenance of the assets
4. Describe how you will implement the established priorities.
5. Describe how your preventive and cyclic maintenance programs for Concession Facilities will address the challenges of operating in a harsh winter environment and how the spring opening and winter closing procedures will contribute to the program.

6. Describe your overall strategy for implementing and maintaining a CMMS database, its interface with the Service's FMSS database, and how the database is integrated into your overall maintenance program. Refer to Exhibit H Maintenance Plan Sec. 2)A)(4) for CMMS requirements.

**Subfactor 1c: Water Quality**

Using not more than 25 pages including all text, pictures, graphs, etc., demonstrate your ability to protect water quality by addressing the following:

1. Describe how you will protect water quality. At a minimum, address fuel dock and vessel activities. Include specific goals and the methods you will commit to adopt and implement in this regard.
2. With respect to water quality, describe how you intend to measure and monitor the effectiveness of your methods and how you will use this feedback for continuous improvement.

**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 Offeror to deliver high quality visitor services. Though many factors influence this objective, the Service has chosen to focus on the following areas:

- Visitor Resource Interpretation and Education
- Responsiveness of Management
- Safety

The Service has outlined the operations standards for marina services within the draft Operating Plan. The Service is interested in understanding how the Offeror will implement these standards with respect to the above three areas of focus.

**Subfactor 2a: Visitor Resource Interpretation and Education**

The Service desires to enhance the interpretative and educational information that is provided James Creek Marina visitors in order to enhance the visitors understanding of James Creek Marina and the surrounding National Capital Parks East and improve the visitor's boating experience. Interpretive themes of James Creek Marina include the aquatic, historic, and wildlife resources and visitor education topics include boater safety, navigation, and sightseeing among others.

Please address the following in your response:

1. How you would provide interpretive and educational programs and products to the visitors of James Creek Marina?
2. What interpretive and educational programs and products would you offer?
3. How you would ensure your staff is qualified to provide visitor interpretation to the Service's standards? Please see the NPS Interpretive Development Program for more information: <http://www.nps.gov/idp/interp/>

**Subfactor 2b:** The Service desires the Offeror to be responsive to customer needs and to proactively identify and resolve customer problems or issues. Please discuss thoroughly and in detail the following:

1. How and when you will seek feedback from customers. Describe the systems and practices you will use, and how frequently you will evaluate customer satisfaction.
2. What policies and procedures you will institute to address customer concerns or complaints.

**Subfactor 2c:** Please describe what actions you will undertake to provide a safe and secure environment to customers to both recreate and store their boats. At a minimum, and as described in the Prospectus, the Offeror is required to install an intrusion detection device and to secure the services of a monitoring agency. Please note that the Service does not permit either the Offeror or a member of the Concession staff living on the property for security or any other purposes.

**PRINCIPAL SELECTION FACTOR 3. THE EXPERIENCE AND RELATED BACKGROUND OF THE OFFEROR IN PROVIDING THE SAME OR SIMILAR VISITOR SERVICES AS THOSE TO BE PROVIDED UNDER THE CONCESSION CONTRACT. (0-5 Points)**

**Subfactor 3a:** Clearly outline the organizational structure you intend to use to manage and execute the services contemplated under the new contract. To the extent that support services such as purchasing or human resources will be provided by a corporate parent, you should clearly identify how this support will benefit the operation.

Complete the appropriate Business Organization Form located in this section for your organization.

**Subfactor 3b:**

1. The Service believes that past experience is an indication of future performance. Please provide example(s) of your experience in the operation and management of marinas. The Service will evaluate, among other factors, the length of service at the marina, and the size and scope of the operation. For each operation discussed, provide the following information:
  - Marina Name
  - Marina Location
  - Number of slips, including breakdown by size
  - Amenities and other marina services offered
  - Annual occupancy during most recently completed operating year/season
  - Annual average slip revenue achieved during most recent completed operating
  - Year/season
  - Number of years at the operation
2. Provide resumes for each of the following positions in the subsequent bullets. All resumes should be in the same format and include relevant experience, certifications (if applicable), and education. The Service will evaluate, among other factors, the length of service and its relevance:
  - Corporate officer(s)/executives with responsibility for directly supervising the general manager, if applicable
  - General Manager
  - Other full-time employees
3. The Service desires one or more members of the Concession staff being trained or certified as a marina manager through an organization such as the Association of Marina Industries or a similar organization. Please indicate whether the Offeror will commit to such training. If so, please state the type of training and the organization offering the training. The Service will be evaluating the comprehensiveness of an Offeror's certifications and current training.

**Subfactor 3c:** Has the Offeror, parent company or any of its principals, at any time in the last five years, whether as a principal or employee of Offeror or otherwise, received any Notice of Violations (NOVs), fines, and/or penalties from the following agencies: National Park Service, Environmental Protection Agency, Occupational Safety and Health Administration, Department of Environmental Protection, or any other state, federal, or other environmental or health regulatory agencies. Include why the NOV, fine, and/or penalty was issued, date it was issued, by whom, and how the NOV, fine, and/or penalty was addressed.

**BUSINESS ORGANIZATION AND CREDIT INFORMATION**  
**PARTNERSHIP OR SOLE PROPRIETOR**  
**(PRINCIPAL SELECTION FACTOR 3)**

|  |  |
|--|--|
| <b>Name of Entity</b>  |  |
| <b>Address</b>   |  |
| <b>Telephone Number</b>  |  |
| <b>Fax Number</b>  |  |
| <b>Email Address</b>   |  |
| <b>Contact Person</b>  |  |
| <b>Title</b>   |  |
| <b>Tax ID #</b>  |  |
| <b>Form of Business:</b>   |  |
| <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Other (please describe) _____ |  |
| <b>Years in Business</b>   |  |

| <b>OWNERSHIP</b>  |                                |                                  |  |
|---|--------------------------------|----------------------------------|--|
| <b>Names and Addresses of Each Partner or Sole Proprietor</b> | <b>Percentage of Ownership</b> | <b>Current Value of Business</b> | <b>Role in Providing Concession Services</b> |
|   |                                |                                  |  |
|   |                                |                                  |  |
|   |                                |                                  |  |
|   |                                |                                  |  |

**Please include a copy of the following:**

- 1) Partnership Agreement or Joint Venture Agreements.

**BUSINESS ORGANIZATION AND CREDIT INFORMATION**  
**CORPORATION**  
**(PRINCIPAL SELECTION FACTOR 3)**

*Complete separate form for the submitting corporation and the parent corporation (include all partners in a joint venture).*

|                               |  |
|-------------------------------|--|
| <b>Name of Entity</b>         |  |
| <b>Address</b>                |  |
| <b>Telephone Number</b>       |  |
| <b>Fax Number</b>             |  |
| <b>Email Address</b>          |  |
| <b>Contact Person</b>         |  |
| <b>Title</b>                  |  |
| <b>Tax ID#</b>                |  |
| <b>State of Incorporation</b> |  |
| <b>Date of Incorporation</b>  |  |

| <b>OWNERSHIP</b>  | <b>NUMBER AND TYPE OF SHARES OR PERCENTAGE OF OWNERSHIP</b> | <b>CURRENT VALUE OF INVESTMENT</b> |
|---|---|------------------------------------|
| Names and Addresses of those with controlling interest or key principals of corporation |   |                                    |
|   |   |                                    |
| <b>Total of All</b>   |   |                                    |
| <b>Total Shares Outstanding</b>   |   |                                    |

| <b>CORPORATE OFFICERS AND BOARD OF DIRECTOR</b> | <b>ADDRESS</b> | <b>TITLE AND/OR AFFILIATION</b> |
|---|----------------|---------------------------------|
|   |                |                                 |
|   |                |                                 |
|   |                |                                 |

**Please include a copy of the following:**

- 1) Corporate Charter (Bylaws).
- 2) Articles of Incorporation or LLC agreement.
- 3) Certificate from state of incorporation indicating that the entity is in "Good Standing."
- 4) Any other information necessary to answer the questions posed in Subfactor 3(a).

**PRINCIPAL SELECTION FACTOR 4. THE FINANCIAL CAPABILITY OF THE OFFEROR TO CARRY OUT ITS PROPOSAL (Scoring: 0 – 5 Points)**

Note: In the event the Offeror is not the legal entity that is to be the Concessioner, provide the information described below with respect to both the Offeror, including all partners in a joint venture, and the proposed Concessioner. Also describe the Offeror's financial relationship to the proposed Concessioner.

**Subfactor 4a:** Demonstrate that you are financially sound and have a history of meeting your financial obligations by providing the following:

1. The completed Business Credit 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. Financial statements should be provided for the Offeror AND all parent companies. Personal financial statements must be provided for any owners of a sole proprietorship or general partners within a partnership.
3. A CURRENT credit report (within the last six months) from a major credit reporting company such as Equifax, Experian or Dunn & Bradstreet.

**Subfactor 4b:** Demonstrate your understanding of the financial obligations of the draft Contract by providing the following:

Provide your estimate of the acquisition and start-up costs of this business using the Acquisition and Start-Up Cost form included at the end of this section. 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 fully understand how the estimates were determined.

**Subfactor 4c:** Demonstrate your ability to obtain the required funds by providing the following:

Identify the source(s) of the funds estimated above. Provide compelling documentation of your ability to obtain the funds from these sources. Explain fully the financial arrangements you propose, using the following guidelines:

1. Document each source and availability of all funds with your current audited financial statements, financing agreements, letters of commitment, or similar supporting documents.
2. If funds are to be obtained from lending institutions (banks, savings and loans, etc.), include a letter (addressed to the lender and containing all appropriate bank contact information) permitting the lender to release any information to the Service concerning the financing arrangements of this opportunity. Include the contact name on the letter.
3. If funds are to be obtained from an individual, or a corporation whose primary fund source is an individual, provide the following as appropriate:
  - a. Current personal financial statement for the primary source of funds.
  - b. Documentation of any assets to be sold.

**Subfactor 4d:** Demonstrate that your proposal is financially viable. Using the Excel spreadsheets provided in Appendix N, and following the guidelines below, provide estimates of prospective revenues and expenses of the concession business in the form of annual prospective income and cash flow statements for the term of the Concession Contract. 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. In situations where the information requested departs from GAAS, the Service requests that the information be provided in the format requested and NOT in conformance with GAAS.

Additional instructions regarding the forms:

1. You may expand on the information requested on the form, but do not provide less, do not reduce the captions called for, and do not change the order of items.
2. Do not add or eliminate columns and rows on the Excel spreadsheets provided in the appendix. 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. Identify the fiscal year beginning and end dates (month and day) that the Offeror proposes to operate within.
3. 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 allow a reviewer to determine the basis for the estimates and make a determination of whether or not the projections are realistic.
4. Complete all of the forms provided and submit both a hard copy and an Excel spreadsheet file. Failure to provide all of the information requested on these forms may result in a reduced score. Use the form included in the electronic version of the Operating Assumptions and Prospective Income Statement form provided in the appendix. The financial basis of any projections that show significantly increased revenues and/or decreased expenses from the projections provided in the Prospectus should be fully explained.
5. State and incorporate the annual inflation rate and estimates of real growth you anticipate.
6. Labor costs should be supported by a schedule identifying the number of full- and part-time employees that will be employed. Provide the number of hours each part-time employee will work per year.
  - A) If you intend to assess a Management Fee, or other form of corporate overhead and profit, you must CLEARLY describe what this fee is comprised of (officer salaries, human resources, accounting, marketing, profit, etc.).
  - B) Only projected receipts and expenses related to the services “required” by the contract are to be itemized and included in your prospective statements. Please clearly identify, by service type, all revenues associated with authorized services.
  - C) Please clearly identify your estimates for personal property replacement. Please clearly and thoroughly provide your assumptions and rationale.

**BUSINESS CREDIT INFORMATION**  
**(PRINCIPAL SELECTION FACTOR 4)**

- 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 Foreclosures, Bankruptcies, Transfers in Lieu of Foreclosure, and/or Work-Out/Loan Modification Transactions during the past 5 years. (If none, then so indicate). Attach an explanation of circumstances, including resolution, bankruptcy plan, and/or other documentation as appropriate.

| Name of Property | City/State | Property Type | Approximate Loan Amount | Lender | Year of Event |
|------------------|------------|---------------|-------------------------|--------|---------------|
|                  |            |               |                         |        |               |
|                  |            |               |                         |        |               |
|                  |            |               |                         |        |               |

- 3) Describe any fines or penalties levied by government agencies during the past 5 years, including environmental fines and notice of violations. Describe the resolution of these actions. (If none, then so indicate).
- 4) Describe any pending litigation or current lawsuits which if adversely resolved would materially impact the financial position of the Offeror. (If none, then so indicate).

**PRINCIPAL SELECTION FACTOR 5. FRANCHISE FEE AND OTHER FORMS OF FINANCIAL CONSIDERATION TO THE DIRECTOR (0-4 Points)**

The minimum franchise fee acceptable to the Service is **eighty percent (80.0%) on parking revenue and one percent (1.0%) on gross receipts from all departments excluding parking**. 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 will be 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.

**Subfactor 5a:** State the franchise fee that 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.

\_\_\_\_\_ percent of annual parking gross receipts

\_\_\_\_\_ percent of annual gross receipts from all departments excluding parking

## 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 AREA AND OTHER RESOURCES THROUGH ENVIRONMENTAL MANAGEMENT PROGRAMS AND ACTIVITIES, INCLUDING, WITHOUT LIMITATION, ENERGY CONSERVATION, WASTE REDUCTION, AND RECYCLING. (0-3 points)**

**Subfactor 1a:** The Service desires that the Concession be recognized as a "Clean Marina" by the Service within at least one year of the execution of this contract. The Service will favor a faster certification of the marina. Please describe the following:

1. The actions and activities you will undertake to achieve a Clean Marina recognition; and
2. The timeline for these actions and activities.

Detailed information on the Service's Clean Marina initiative can be found in the Clean Marina Guidebook located in Appendix M to this Prospectus. Please ensure that any revenue and expenses associated with your proposed activities are clearly reflected in your prospective financial statements.

## SECONDARY SELECTION FACTOR 2 (0-3 points)

Recognizing that the Concession is located within an economically developing neighborhood of Washington, D.C., the Service desires to improve the overall attractiveness and appeal of the Concession. Please describe the activities you will undertake in order to achieve this objective. The Service prefers simple, inexpensive activities that will enhance the overall appeal of the Concession as place not merely to store a boat, but also to visit and recreate.