

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Request for Proposals

Channel Coast Camp Stores



El Capitan State Beach, Refugio State Beach,
and Gaviota State Park

Santa Barbara County, California



REQUEST FOR PROPOSALS

FOR

Channel Coast Camp Stores

AT

**El Capitan State Beach,
Refugio State Beach,
and
Gaviota State Park**

Opening Date
September 8, 2006

Closing Date
November 30, 2006

STATE OF CALIFORNIA – RESOURCES AGENCY
DEPARTMENT OF PARKS AND RECREATION
CONCESSIONS AND RESERVATIONS DIVISION
1416 NINTH STREET, 14TH FLOOR
SACRAMENTO, CA 95814



NOTICE OF REQUEST FOR PROPOSALS

Notice is hereby given that the California Department of Parks and Recreation now is accepting proposals to develop, equip, operate, and maintain the camp stores at El Capitan State Beach, Refugio State Beach and Gaviota State Park, providing quality camping and beach-related goods and services to park visitors.

| | |
|---|---|
| Concession Name: | Channel Coast Camp Stores |
| Park Unit: | El Capitan State Beach, Refugio State Beach, and Gaviota State Park |
| Proposal Closing Time & Date: | 2 p.m. on November 30, 2006 |
| Proposal Submission Location: | California State Parks Concessions, Reservations, and Fees Division 1416 Ninth Street, Room 1442-13 Sacramento, CA 95814 |
| Contract Term: | Ten (10) years |
| Minimum Annual Rent Bid: | Forty thousand dollars (\$40,000) or twelve percent (12%) of gross receipts, whichever is greater |
| Proposal Bond (due at time of proposal submission): | Five thousand dollars (\$5,000) |
| Performance Bond (due at time of Contract execution): | One year's current minimum rent |
| Proposer's Minimum Years of Relevant Experience: | Two (2) years |
| Optional Pre-Proposal Meeting: | September 26, 2006 at 1p.m. Refugio State Beach 10 Refugio Beach Road Goleta, CA 93117 |

For more information or to purchase a copy of the complete RFP, contact Jann Bullock at the Concessions, Reservations and Fees Division at (916) 653-7733 or jbull@parks.ca.gov, or visit the Web site at www.parks.ca.gov/concessions.

Richard Rojas, District Superintendent

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SECTION 1 - PROJECT SUMMARY

1.1 GOAL & OBJECTIVES

Department Mission

The mission of the California Department of Parks and Recreation is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.

Goal of this Request for Proposals (RFP)

The goal of this RFP is to award a ten (10) year contract to a business entity that will develop, equip, operate, and maintain the camp stores at El Capitan State Beach, Refugio State Beach, and Gaviota State Park, providing quality camping and beach-related goods and services to park visitors.

Objectives of this RFP

- Provide quality products and services at reasonable prices to park visitors;
- Provide and maintain a mobile/temporary facility to serve as the camp store at Refugio State Beach;
- Improve overall condition of the concession facilities and provide for accessibility as required by the Americans with Disabilities Act and related laws and regulations;
- Contribute to the Department's mission to "provide for the health" of Californians by promoting the importance of healthy, locally and sustainably grown, organic foods;
- Promote and complement safe, enjoyable, and high-quality recreational experiences for all park users.

1.2 GENERAL INFORMATION

El Capitan State Beach

Site Description

El Capitan State Beach is located in Santa Barbara County off Highway 101 17 miles west of Santa Barbara. The park provides 131 family campsites, five group campsites, and a day-use parking lot that can accommodate 184 vehicles. Seasonal attendance fluctuates from approximately 2,000 people per month in the winter to 11,000 people per month in the summer. El Capitan State Beach offers visitors a sandy beach, rocky tidepools, and stands of sycamore and oaks along El Capitan Creek. It's a perfect setting for swimming, fishing, surfing, picnicking and camping. A stairway provides access from the bluffs to the beach area. A bike trail connects the park with Refugio State Beach two and a half miles to the west.



Current Concession Operation

The concession facility is located in the day use parking lot at the top of the stairs for beach access. The store was built in 1984 and is approximately 696 square feet with an attached storage area of 400 square feet. There is no kitchen. The attendance as determined by park management, and gross sales and rent for the last five years (as reported by the current concessionaire) are as follows:

| <u>Fiscal Year</u> | <u>Visitation</u> | <u>Gross Receipts</u> | <u>Rent to State</u> |
|---------------------------|--------------------------|------------------------------|-----------------------------|
| 2000/01 | 227,472 | \$165,820 | \$19,070 |
| 2001/02 | 210,557 | 156,304 | 17,975 |
| 2002/03 | 194,877 | 156,700 | 18,021 |
| 2003/04 | 187,834 | 152,977 | 17,593 |
| 2004/05 | 141,951 | 147,399 | 16,950 |

Future Site Plans

Currently there are no kitchen facilities. Proposals that include the development of food service facilities will be considered.

Refugio State Beach

Site Description

Refugio State Beach is located in Santa Barbara County on Highway 101 at Refugio Road, approximately 20 miles west of Santa Barbara. The park provides 67 campsites, three group campsites, and a day-use parking lot that can accommodate 122 vehicles. Refugio State Beach offers excellent coastal fishing as well as trails and picnic sites. Palm trees planted near Refugio Creek give a distinctive look to the beach and camping area. A bike trail along the bluff connects the beach with El Capitan State Beach. During summer months the Junior Lifeguard program is held at this unit, resulting in additional attendance of approximately 2,000 visitors.



This facility is the property of the current concessionaire.

Current Concession Operation

The site for the concession facility is west of the campground near the day-use parking lot. The current facility, property of the incumbent concessionaire, was placed in the park in 1996 and is approximately 912 square feet with a storage area of approximately 528 sq. ft. A 1080 sq. ft. deck has been built in front of the facility for additional customer seating and will be available for use by the next concessionaire. A ramp has been installed to allow wheel chair access. The attendance as determined by park management and gross sales and rent as reported by the current concessionaire are as follows for the last five years:

| <u>Fiscal Year</u> | <u>Visitation</u> | <u>Gross Receipts</u> | <u>Rent to State</u> |
|--------------------|-------------------|-----------------------|----------------------|
| 2000/01 | 211,504 | \$195,287 | \$22,458 |
| 2001/02 | 196,445 | 197,051 | 22,661 |
| 2002/03 | 178,037 | 166,935 | 19,233 |
| 2003/04 | 137,607 | 163,260 | 18,775 |
| 2004/05 | 128,633 | 181,429 | 20,563 |

Future Site Plans

It is the responsibility of the concessionaire to provide a temporary, ADA-compliant facility to house the store. The facility may include a kitchen or other food preparation space. The facility shall be approved by the State and installed at the concessionaire's sole cost and expense. At the termination of this contract, the facility shall be removed and the site restored to its original condition at the concessionaire's sole cost and expense.

Gaviota State Park

Site Description

Gaviota State Park is located 33 miles west of Santa Barbara on Highway 101. The park provides 39 campsites and a day-use parking lot that can accommodate 139 vehicles. The park is a popular spot for swimming, picnicking and surf fishing. A pier on the west end of the beach is equipped with an electric boat hoist launching facility. The hoist is a self-service operation that may be used year round. Visitors can explore the upland portions of the park from a trailhead in the day-use parking area. Gaviota Peak offers a view of the coast and the Channel Islands. Gaviota Hot Springs are located two and a half miles north of the park entrance and offer two small sulfur springs that are open to the public.



Current Concession Operation

The current concession is located in the middle of the day-use parking lot. The store was built in 1993 and is approximately 625 sq. ft. with a storage area of approximately 371 sq. ft. There is no kitchen. This store is the smallest of the three and typically sells more fishing goods than the other two. The attendance as determined by park management and gross sales and rent as reported by the current concessionaire are as follows for the last five years:

| <u>Fiscal Year</u> | <u>Visitation</u> | <u>Gross Receipts</u> | <u>Rent to State</u> |
|--------------------|-------------------|-----------------------|----------------------|
| 2000/01 | 79,821 | \$ 60,000 | \$6,901 |
| 2001/02 | 145,222 | 66,151 | 7,607 |
| 2002/03 | 83,042 | 71,761 | 8,252 |
| 2003/04 | 86,813 | 76,290 | 8,773 |
| 2004/05 | 55,081 | 52,347 | 6,019 |

Future Site Plans

Currently there are no kitchen facilities. Proposals that include the development of food service facilities will be considered.

Concession services shall be provided at all three (3) locations as follows:

| DATES | DAYS | HOURS |
|----------------------------|---|------------------------|
| June 15 - September 15 | Daily | 8:00 a.m. to 7:00 p.m. |
| March 1 - June 14 | Weekends only | 8:00 a.m. to 4:00 p.m. |
| September 16 - November 30 | Weekends only | 8:00 a.m. to 4:00 p.m. |
| Holiday Periods* | Daily (excluding Thanksgiving and Christmas days) | 8:00 a.m. to 4:00 p.m. |

***Holiday Periods:**

- Spring break shall be defined as one week prior to Easter Sunday through one week after Easter Sunday.
- The Thanksgiving holiday period shall be defined as the weekend preceding Thanksgiving Day through the weekend following Thanksgiving Day.
- The Christmas holiday period shall be defined as the Saturday before December 25th through the Sunday after January 1st.

1.3 CONTRACT SUMMARY

It is critical that proposers be familiar with and fully understand all the terms and conditions of the Sample Concession Contract (included herein). Your proposal should be based on the requirements of this contract in its entirety. If a proposer is awarded the contract, the successful proposer has 30 days to review and sign the awarded contract. The successful proposer shall be expected to accept the provisions of the Sample Concession Contract as written. If necessary, minor clarifications, approved by staff counsel, the Department of General Services, and the Attorney General, may be made prior to contract execution. The intent of the contract is to provide the public with high-quality, reasonably priced goods and services in an authentic manner and atmosphere that enhances the visitor's experience and the educational, natural, and cultural resources of the park. The term of the contract is for a period of ten (10) years.

Summary descriptions of some of the important contract provisions are described below.

At a minimum, the successful proposer will be required to:

1. Equip, operate, and maintain three (3) camp stores offering food, beverages, and camping and beach-related supplies for sale and rental.
2. At the concessionaire's sole cost and expense provide and maintain a concession facility at Refugio State Beach.
3. Participate in the Department's Healthy Foods Initiative by providing healthy, locally and sustainable-grown organic foods to the extent possible.
4. Maintain the required hours of operation in accordance with the contract.
5. Pay as Annual Rent the amount presented in the proposal, which, at a minimum, shall be the greater of forty thousand dollars (\$40,000) or twelve percent (12%) of gross receipts.
6. Provide an Operation Plan, Facility Plan, and Interpretive Plan as specified in Proposal Instructions and clearly demonstrate the proposer's plan to provide fully accessible services and facilities that comply with ADA guidelines. The plans will become part of the contract subject to State review and approval.
7. Maintain the premises, facilities, furnishings, and equipment in good condition in accordance with Department standards and contract provisions.
8. Provide a continuing Performance Bond in the amount of one year's current Minimum Annual Rent.
9. Pay for all taxes applicable to the operation of the concession, including possessory interest taxes, and all utility services as required by the contract.

10. Provide liability and fire insurance as required by the contract.
11. Obtain all necessary licenses, permits, and approvals as set forth in the contract and abide by all applicable health, safety, and environmental codes and regulations.
12. Comply with the letter and spirit of current and subsequent guidelines or plans, including General Plan amendments or updates, management and interpretive plans, historic structure reports, and others.
13. Demonstrate compliance with labor laws as specified in the RFP.

The successful proposer will not:

1. Provide or sell items or services considered inappropriate, deemed objectionable, or denied by the State.
2. Charge prices in excess of those approved by the State.
3. Promote or participate in activities that are incompatible with the rules, regulations, guidelines, or the mission of the Department.

Note: This contract summary is for general information only. Terms and conditions are set forth in detail in the Sample Concession Contract.

SECTION 2 - THE RFP PROCESS

2.1 PROPOSAL PROCESS

Tentative Proposal Dates

| | |
|-------------------------|---|
| September 8, 2006..... | Opening Date - Publication of the RFP |
| September 26, 2006..... | Optional Pre-Proposal Meeting |
| October 13, 2006 | Questions - Last date for proposers to submit written questions |
| October 27, 2006 | Answers - DPR written responses to questions |
| November 30, 2006..... | Closing Date - Deadline for proposal submission |
| December, 2006..... | Investigation and evaluation of Proposals |
| February 1, 2007 | Notification of "Intent to Award Contract" |
| February, 2007 | Award, preparation, and execution of contract |
| March 1, 2007 | Ten (10) year contract begins |

Note: This schedule does not consider unforeseen factors that could impact the timing of the project. It is the intent of the State to keep proposers apprised of changes in the schedule as they occur. Should the award of the contract be protested, additional time will be required to resolve the matter.

Optional Pre-Proposal Meeting

It is strongly recommended that you or your designated representative attend the optional pre-proposal meeting at 1:00 p.m. on September 26, 2006 at Refugio State Beach, 10 Refugio Beach Road, Goleta, CA 93117. The meeting provides an equitable forum for all proposers to:

- Meet local Department staff;
- Learn about the RFP process, including procedures for questions and answers, proposal submission, and contract award;
- Inspect the concession site;
- Receive information on the park and facility history , including Department plans for the park and the concession;
- Review the RFP document.

RFP Content Questions

Questions regarding this RFP must be submitted in writing and received no later than 5 p.m. on October 13, 2006. To ensure fair competition in which all proposers receive the same information and materials, no telephone or personal inquiries about this RFP will be answered. Questions should be submitted in writing to the Department by mail or fax at the address and phone numbers listed below. A written compilation of all questions and answers, and any RFP addenda, will be sent by first-class mail to all

identified potential proposers. Questions will be answered as clearly and completely as possible without jeopardizing the competitiveness of the proposals.

Proposers should send their questions addressed to:

California Department of Parks and Recreation
Concessions, Reservations, and Fees Division
1416 Ninth Street, Room 1442-13
Sacramento, CA 95814
Attn: Jann Bullock
Fax: (916) 657-1856
E-mail: jbull@parks.ca.gov

Proposal Bond

Proposals must be accompanied by a Proposal Bond or cashier's check payable to the State of California, Department of Parks and Recreation, in the amount of five thousand dollars (\$5,000). By submitting a proposal bond the proposer agrees that the bond or cashier's check may be cashed and retained by the State upon proposer's failure to execute the contract once awarded and/or proposer's failure to comply with the start-up terms of the contract once awarded. Further, by submitting a proposal, proposer agrees that the State will suffer costs and damages not contemplated otherwise should proposer be awarded the contract but fail to execute and proceed with the contract, the exact amount of which will be difficult to ascertain. Accordingly, it is agreed that such retained sums shall not be deemed a penalty, but, in lieu of actual damages, shall represent a fair and reasonable estimate of damages to the State for failure of the proposer to execute and proceed with the contract upon notification of award by the State. Bonds will be returned to all proposers once a contract is fully executed.

Proposal Submission

Your proposal, including the Proposal Bond, must be received by 2 p.m. on November 30, 2006 at:

California Department of Parks and Recreation
Concessions, Reservations, and Fees Division
1416 9th Street, Room 1442-13
Sacramento, CA 95814

Proposal Format & Content

The proposal package must be sealed and clearly marked on the outside with "Proposal for Channel Coast Camp Stores". Please submit an original plus **five (5)** copies of your proposal in 8.5" x 11" three-ring binders. All material should be presented in an 8.5" x 11" portrait format with tabs for each section. Larger formatted graphic exhibits are acceptable if folded to fit within the 8.5" x 11" three-ring binder.

Confidentiality of Proposals

All proposals submitted in response to an RFP become the property of the State and are subject to the requirements of the California Public Records Act (California Government Code Section 6250 et seq.). The proposer must identify in writing all copyrighted material, trade secrets, or other proprietary information the proposer claims

are exempt from disclosure under the Public Records Act. Proposers claiming exemption must include the following statement in their proposal:

The proposer agrees to indemnify and hold harmless the State, its officers, employees, and agents from any claims, liability, or damages against the State, and to defend any action brought against the State for Proposer's refusal to disclose such material, trade secrets, or other proprietary information to any party.

Failure of a proposer to include this statement and/or identify in writing the claimed exempt material shall be deemed a waiver of any exemption from disclosure under the Public Records Act. Requests to review proposal submissions will not be allowed until after an "Intent to Award Contract" notice is published by the State.

Withdrawal of Proposals

Proposals may be withdrawn at any time prior to the proposal closing date and time provided that a written request executed by the proposer or his/her duly authorized representative for the withdrawal of such proposal is filed with the Department. The withdrawal of a proposal shall not prejudice the right of a proposer to file a new proposal prior to the proposal closing date and time. However, once the proposal closing date and time has past, proposals shall be irrevocable.

2.2 EVALUATION PROCESS

Verification of Proposal Information

The State may obtain credit reports and verify tax form information to further establish the qualifications of any proposer. All proposers may be subject to a personal interview and inspection of his/her business premises prior to award. Proposers should notify bank and business references in writing that a representative from the state will be contacting them concerning the financial and credit information furnished to the Department with the proposal.

State's Right to Reject Proposals, Waive Defects and Requirements

The State reserves the right to accept or reject any or all proposals, and waive any or all immaterial defects, irregularities, or requirements in the RFP for the benefit of the State, so long as such waiver does not give any proposer a material advantage over other proposers. A proposer shall not be relieved of his/her proposal nor shall any change be made in his/her proposal due to a proposer error.

Supplemental Information

At its sole discretion, the State reserves the right, but does not have the obligation, to seek supplementary information or clarification from any proposer at any time between the dates of proposal submission/acceptance and the contract award. The State may obtain credit reports and/or make background inquiries to further establish the qualifications of any proposer. Any proposer may be subject to personal interview and

inspection of his/her business premises prior to award. Any proposer may be required to appear before the Concession Contract Award Board.

Proposal Evaluation

All proposals received shall be evaluated for form and content in accordance with the requirements of this RFP. The Contract Award Board will evaluate and score each eligible proposal pursuant to the point system and selection criteria as described in the Proposal Instructions and Proposal Evaluation Form. **Proposals not containing all of the items in the Concession Proposal form (DPR 398) may be rejected.**

Contract Award Board

Concession Contract Award Boards are appointed by the Director of the Department, or his or her representative, and convened to review, evaluate, and rate each proposal received and make a recommendation to the Director regarding the selection of the "Best Responsible Proposer". The Award Board for this contract may include park staff with related expertise, such as Field Division Chief, Deputy Director, Park Design and Construction staff, or District Superintendent, and representatives from other public agencies and the private sector.

Contract Award

If an award is made, the award for a concession contract will be to the "Best Responsible Proposer" in accordance with Section 5080.23 of the Public Resources Code. The "Best Responsible Proposer" will be the bidder whose proposal passes each of the required elements and receives the highest total score as determined by the Contract Award Board and approved by the Director. Execution of the awarded concession contract is subject to approval by controlling agencies of the State, which include the Department of General Services and the Attorney General, and will not be binding on the State or the successful proposer until such approval is obtained.

Protest of Award

Based on Title 14, California Code of Regulations, Chapter 3, Section 4400 and Department policy, other than a contract negotiated under Section 5080.16 of the Public Resources Code, when a concession in excess of two years is proposed to be let at public bid (or RFP), any proposer protesting or objecting to the same, or desiring to protest or object, may file within ten days of the awarding of the contract (publication of the "Notice of Intent to Award") with the Director of the Department his/her verified petition, setting forth his/her objections, the reasons therefor, and points and authorities in support thereof. Failure to file a verified petition within the ten-day period shall constitute a waiver of the right to protest. Protests must be sent to:

Director
California Department of Parks and Recreation
P O Box 942896
Sacramento, California 94296-0001
Fax: 916-657-3903

A copy of such petition also must be served upon the Attorney General within such ten-day period by the protesting entity. Serve the Attorney General at:

California Department of Justice
Office of the Attorney General
Natural Resources Law Section
1300 I Street, 11th Floor
Sacramento, California 95814
Fax: 916-327-2319

At the time of filing said petition, the protestor may demand in writing a hearing thereon. If a hearing is so demanded, or if the Director on his/her own motion orders a hearing, proceedings shall be taken under the Administrative Procedure Act, and the said petition shall be treated as a statement of issues. Any recommendation or proposed decision of the hearing officer shall be submitted to the Director for approval, adoption, modification, disapproval, or other interlocutory or final action thereon by the Director. If a hearing is not so demanded or ordered, the action of the Director on said petition shall be final.

2.3 CONTRACT EXECUTION

Preparation of Contract

Subsequent to the award of a contract, if an award is made, the State will prepare a final contract for execution. The contract will contain "exhibits" developed from the selected proposal including the proposal's Operation, Facility, and Interpretation Plans, as required. Minor changes or modifications to the contract, proposal plans, and contract exhibits may be made prior to execution based on agreement between the State and concessionaire. However, no material change to the contract or its exhibits as presented in the RFP and in the selected proposal may be made.

Performance Bond and Insurance

The successful proposer will be required to submit a Performance Bond and evidence of insurance required under the contract. Failure to submit the bond and/or insurance verification within the time limit presented may be treated as a refusal to execute, if the State so elects. The State may take the Proposer Bond and select the next Best Responsible Proposal.

Failure to Sign/Deliver Contract

A failure of the successful proposer to sign and deliver the contract within thirty (30) days of receipt may be treated as a refusal to execute, if the State so elects. The State may retain the Proposer Bond and select the next Best Responsible Proposal.

SECTION 3 - THE PROPOSAL

3.1 INSTRUCTIONS FOR THE CONCESSION PROPOSAL

A completed Concession Proposal form (also known as DPR 398) and a Proposal Bond will constitute your proposal. You must complete all sections, respond to all questions, and fill in all blanks of the form. Inapplicable questions or blanks must be marked "N/A" or "Not Applicable". Failure to properly complete the form may disqualify your proposal.

The proposal must be clear, unambiguous, and unconditional. It should clearly commit you to entering into a contract with the State to provide the services and other concession improvements as required by this RFP and offered in the proposal.

The submission of a proposal shall be deemed evidence that you are fully aware of the responsibilities of being a concessionaire and have carefully examined State laws relating to California State Park concessions; possessory interest tax as related to concessions; the site(s) selected for said concession; obligations and responsibilities related to local control agencies and permitting requirements; and the proposal instructions, proposal form, and the sample concession contract included herein.

I. PROPOSER INFORMATION

A. Proposer Identification

Incumbent Factor

The incumbent concessionaire is defined as the individual, partnership, or corporation that currently operates the concession advertised in this RFP. Such concession operation must be at the same site, comprise the same type of operation(s), and provide substantially the same types of products and services as those specified in the RFP. Incumbent proposals are awarded points based on annual Performance Evaluations (DPR 531) performed by the State. Poor Performance Evaluations may result in negative point scores.

Small Business Status

Preference will be granted to proposers properly certified as Small Businesses as defined in Title 2, Section 1896, et seq., California Code of Regulations. If you want to claim this preference, include a copy of the Small Business Certification with your proposal. Omission of the Certificate or Office of Small Business (OSB) identification number may delay awarding of preference points. A complete and certifiable application must be on file with the OSB by 5:00 p.m. on the proposal closing day. To ensure a certifiable document, applications should be submitted well before the proposal closing day. It is the proposer's responsibility to contact OSB to verify the completeness of the application. Incomplete documents are not certifiable. You may obtain an application for Small Business Certification from:

Office of Small Business and DVBE Certification
707 Third Street, 1st Floor, Room 400
West Sacramento, CA 95605
(800) 559-5529 or (916) 375-4940
FAX (916) 374-4950

Certification will verify that the business is independently owned and operated; not dominant in its field of operation; has its principal office located in California; has officers domiciled in California; and together with affiliates is either a service, construction, or non-manufacturer with 100 or fewer employees and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three (3) years, or a manufacturer with 100 or fewer employees.

B. Business Information

Select the type of business that describes the proposing entity (Sole Proprietorship, Partnership, Joint Venture, or Corporation) and provide the requested information. The type of business must be established prior to submitting a proposal and must not be a condition of receiving the contract.

Business Experience

Provide a narrative describing in detail the duration, extent, and quality of the business's previous work related to the subject concession. More points will be awarded to business entities that have experience owning, operating, and managing similar concession contracts and/or contracting for services with public agencies. Attach additional information as needed.

To ensure that all proposals are afforded an equal opportunity to compete for the contract, the Department may consult with the Department of Finance, Board of Equalization, or other experts as determined by State to obtain information necessary to estimate the amount of fees or taxes that would be paid to the State or local government by each proposer if awarded the contract.

C. Individual Information

Each individual, partner, member of joint ventures, officer of corporations, concession manager, and holders of 25% or more of the company's shares (as applicable) must complete a copy of the Individual Information form AND complete and sign the Authorization to Release Information in Section IV.

Experience

Provide a narrative describing in detail the duration, extent, and quality of your education and business experience with special emphasis on your experience related to the subject concession. Be specific with respect to the type and dates of experience, your role in the management and specific duties, type and size of operation, quality of operation, public agency involvement, contractual relationships, and other factors that demonstrate your ability to successfully operate the proposed concession. Be sure to

demonstrate how you meet the required proposer qualifications, if applicable. Attach additional information as needed.

For the purposes of this RFP, proposers must have a minimum of two (2) years experience owning, managing, or operating a business of similar size, type, and scope as the concession operations set forth and envisioned by this RFP. The proposer will be rated according to the years of relevant experience as verified by references. In addition, points are awarded for experience contracting with public agencies.

D. Statement of Financial Capability

Proposers must present evidence satisfactory to the State demonstrating their ability to finance, construct, operate, and maintain the concession facilities as proposed. For the purposes of this RFP, proposers must have the ability to unconditionally access a minimum of CapitalOutlay. Your statement of financial capability must include the source of funding and detailed information including:

Source of funding and cost of concession development: Identify and describe the specific source of funding that your business will use to undertake the project as you have proposed. If funds are to be used from outside sources (i.e., parent company, third party, LLC partners, etc.), provide documentation, such as a recent bank statement, balance sheet, income statement, and/or other supporting documents, to demonstrate these funds are available and unconditionally committed to this concession project. In addition, if funds are to be borrowed to finance any portion of the total investment, you must provide loan commitment documentation such as a letter-of-intent from the individual, bank, or other lending entity indicating the minimum amount to be loaned and any applicable percentage rate. The loan commitment may contain the qualification that the loan will be consummated only upon award of an agreement with the State, otherwise the commitment must be irrevocable and unconditional.

Business Financial Statement: Use the Business Financial Statement to describe the current and true condition of your business' assets, liabilities, and net worth. Round figures to the nearest dollar. If your business is a partnership or joint venture, each general partner or joint venturer must individually submit a Business Financial Statement. You may provide copies of forms filed with the Internal Revenue Service, where applicable.

E. Credit Worthiness

Proposers must present evidence of credit worthiness. At a minimum, evidence shall include a credit report issued by a nationally recognized credit bureau within 60 days of the proposal due date. Any derogatory information listed on said reports must be explained.

F. References

Financial, client, and vendor references are used to confirm information provided by proposers and to evaluate the proposer's quality of experience and past performance. Please submit one reference for each reference type required below. However, to

adequately substantiate the claims you have made in your proposal, you are encouraged to provide three references that are familiar with you and your business. Proposers should notify their references in writing that a representative from the State will be contacting them.

For the purposes of this RFP, please provide the references from the following sources:

- Financial References: Include your bank or savings and loan institution.
- Client or Business References: Name clients or other persons that most accurately reflect your performance and ability to fulfill contract obligations with other entities for the provision of goods and services.
- Vendor References: Please provide vendor references if you are a pre-existing business currently utilizing vendors.

II. PROPOSAL INFORMATION

Provide an Operation, Facility, and Interpretive Plan that addresses each of the checked elements in the Concession Proposal form (DPR 398). For your information, each element of the Concession Proposal is described below. You may submit additional information to fully describe and enhance your proposal.

A. Operation Plan

As a condition of the contract award, the successful proposer may be required to revise or further develop the Operation Plan to the satisfaction of the State and prior to the execution of the contract. If and when it is accepted, the final plan will be incorporated as an exhibit to the contract and become an obligation of the concessionaire thereunder. In addition to the Operations Plan, the successful proposer also must adhere to the operational requirements as described in the contract. Your Operation Plan should address each of the following elements:

Vision/Mission Statement

Your Vision/Mission Statement should capture both the State's and your own goals and objectives for the concession business and provide a clear philosophy to guide you.

Organizational Structure

Provide an organization chart and staffing plan that can guide the operation and ongoing management of your concession business.

Transition/Business Start-Up

Describe your plan and timeline for starting concession operation and providing a seamless transition in customer service.

Customer Service Plan

Demonstrate your ability and clear commitment to successfully implement an effective customer service program. Your plan should include, but is not limited to, previously established and effective customer service program models, adequate employee

staffing and management oversight, hours of operation equal to or greater than required by this RFP, and a customer satisfaction feedback survey program.

Marketing and Advertising

Your marketing concept should include, but is not limited to, proposed approaches, methodologies, media, advertising materials, schedules, and budget allocations.

Products, Merchandise, and Services

Provide a detailed description of the proposed menu and other products, merchandise, and services to be provided by the concession operation. Food and other sales items must be high-quality and the selection varied. The products and services offered should meet or exceed the needs of the park users, and be compatible with and complimentary to the mission of the park. Provide a price schedule for a representative sample of the products and services proposed. Note the Healthy Foods requirements of the Sample Concession Contract.

Conservation and Recycling

Outline your approach to solid waste management, including reduction, re-use, and recycling, use of post-consumer recycled products, water and energy conservation, pest management, hazardous materials handling, air quality, and other applicable facets of resource conservation and environmental protection that are applicable to the concession operation. Your plan should clearly commit you to a program that will minimize negative impacts on the environment and encourage park visitors to do the same.

Accessibility Plan

Provide a plan for and commitment to ensuring disabled visitors will have access to all of the services provided through the concession operation in accordance with the American's with Disabilities Act of 1990, the Rehabilitation Act of 1973, and California Government Code Sections 4450 et. seq. and 7250. The successful proposer's plan shall be submitted to State Park's Accessibility Section for review prior to implementation.

B. Facility Plan

After the State's review and approval, the Facility Plan from the successful proposal shall be included as an exhibit to the contract. In addition to the Facility Plan, the successful proposer also must adhere to the facility requirements as described in the contract.

Temporary Facility Plan

Describe the temporary facility that will be provided at Refugio State Beach. At a minimum, the facility shall be accessible in accordance with the Americans with Disabilities Act and related laws.

Furnishings Plan

Describe the intended physical facilities of the concession including furnishings, equipment, décor, and layout. Implementation of proposer's plan should provide first-class concession facilities that are consistent with and will enhance park values, visitor services, and visitor experiences at the park.

Maintenance and Housekeeping Plan

Provide a comprehensive plan to maintain the concession facilities in a first-class condition throughout the term of the contract. The maintenance plan criteria include budget allocations and housekeeping and maintenance schedules.

Cost Estimates

Provide a cost breakdown for implementation of the Facility Plan.

C. Interpretive Plan

The Interpretive Plan is an important element of a concession, and consequently, can be very influential in the selection of the successful proposal. The Interpretive Plan, from the successful proposal, after the State's review and approval, shall be included as an exhibit to the contract. The selected concessionaire shall work closely with the district's interpretive staff to ensure that the implementation of the Interpretive Plan is consistent with and supports the park's overall interpretive program. The State reserves the right to include or exclude any item or items in the Interpretive Plan that the State determines do not meet the intent of the RFP or the mission of the Department.

Appropriate interpretive topics at these parks include:

- Local ecology such as the ecology of the intertidal and/or submerged zones, tide pools, sandy beach, streams, bluffs and wetlands;
- Local geology, including the formation of the landscape;
- Local flora and fauna and related activities such as whale watching;
- The story of the California State Park System;
- The history El Capitan and Refugio State Beaches and Gaviota State Park and the culture of people in the Santa Barbara area, including Native Americans, Spanish explorers, and contemporary figures, and their use of the beach environment; and
- Coastal and underwater recreation such as the history and culture of surfing, scuba diving, kayaking and beach safety.

Business Interpretive Theme

Describe the interpretive theme of your business.

Business' Ambiance Plan

Describe your plan to develop and implement historical ambiance including such things as historic characterizations, environment, costumes, furnishings, signs, wall treatment, advertising, window coverings, equipment, tools, display shelves, counters, tables,

chairs, and cooking equipment. The Business Ambiance Plan should be appropriate to the interpretive element of each park as defined by the park's General Plan.

D. Rental Offer

The concessionaire will be required to pay as annual rent a guaranteed amount (Rental Guarantee) or a Percentage of Gross Sales, whichever is greater. Proposers shall bid one or both the Rental Guarantee and/or the Percentage of Gross Sales as specified in the Concession Proposal form (DPR 398). For the purposes of this RFP, the Rental Guarantee must be at least forty thousand dollars (\$40,000) and the Percentage of Gross Sales must be at least twelve percent (12%).

E. Concession Feasibility

Document your ability to successfully initiate the proposed concession in a financially responsible manner, in accordance with the terms and conditions of the sample contract and your Operation, Facility, and Interpretive Plans (as applicable). This information must substantiate your ability to: develop, furnish, equip, operate and maintain the concession in a high-quality manner; provide the public with quality products and services at reasonable and competitive prices; pay the State the rent offered; and provide a reasonable return on your investment.

Fiscal documentation that will be considered in awarding points includes a financial pro forma; statement of assets and liabilities; business, vendor, bank, and/or financial references; and similar documents. You may provide information in addition to that required in the Concession Proposal form (DPR 398). *Do not alter the format in any way.* You must respond to each item in the order listed with the information requested or N/A.

III. PROPOSAL SUMMARY

The Proposal Summary should summarize your relevant experience, knowledge, and expertise, and your Operation, Facility, and Interpretive Plans in 250 words or less.

IV. CERTIFICATION OF PROPOSER INFORMATION

A. Labor Law Compliance Certification

A request may be made to the National Labor Relations Board for information regarding Administrative Hearing decisions against each proposer. You must have no more than one final, unappealable finding of contempt of court by a federal court issued for violation of the National Labor Relations Act within the two-year period immediately preceding the closing date of this RFP or your proposal will be disqualified.

B. Proposer Certification

A completed certification is required with your proposal or it will be disqualified.

C. Authorization to Release Information

A signed authorization for each individual, partner, member of joint ventures, officer of corporations, Concession Manager, and holders of 25% or more of the company's shares (as applicable) must be included or the proposal will be disqualified.

V. PRIVACY NOTICE

This section provides notice to proposers. No action by proposers is necessary.

3.2 PROPOSAL EVALUATION CRITERIA

Incumbent Preference

5 Points

Incumbent proposals are awarded points based on annual Performance Evaluations (See DPR 531 in the Sample Concession Contract) performed by the State as follows:

| Overall Rating of Evaluation | Number of Years Rating Was Received | Points Awarded |
|---|-------------------------------------|----------------|
| “Excellent” | 3 out of last 3 years | 5 points |
| “Excellent” with no “needs improvement” or “unsatisfactory” | 2 out of last 3 years | 3 points |
| “Excellent” with no “needs improvement” or “unsatisfactory” | 1 out of last 3 years | 2 points |
| Satisfactory | 3 out of last 3 years | 1 point |
| “needs improvement” or “unsatisfactory” | 1 out of last 3 years | - 1 point |
| “needs improvement” or “unsatisfactory” | 2 out of last 3 years | - 3 points |
| “needs improvement” or “unsatisfactory” | 3 out of last 3 years | - 5 points |

Small Business Preference

5 Points

Five points will be awarded to those proposers who have a complete and certifiable application on file with the Office of Small Business Certification.

Experience

15 Points

For the purposes of this RFP, proposers must have a minimum of two (2) years experience owning, managing, or operating a business of similar size, type, and scope as the concession operations set forth and envisioned by this RFP. The proposer will be rated according to the years of relevant experience as verified by references and the quality of experience as it relates to the business described in this RFP. In addition, points are awarded for experience contracting with public agencies.

Operation Plan

20 Points

Points will be awarded based upon the degree to which the proposal addresses each of the required elements of the Operations Plan (as identified in the DPR 398, Concession Proposal) and demonstrates an understanding of and commitment to achieving the objectives of this RFP. In addition, points will be awarded based upon the proposer’s demonstrated ability to implement the components of the plan. More points will be awarded to proposals that provide high-quality goods and services that are consistent with the intent of the RFP and the mission of the park.

Facility Plan**20 Points**

Points will be awarded based upon the degree to which the proposal addresses each of the required elements of the Facility Plan (as identified in the DPR 398, Concession Proposal) and meets and exceeds the objectives of this RFP. More points will be awarded to proposals that provide high-quality and fully accessible facilities.

Interpretive Plan**10 Points**

Points will be awarded based upon the degree to which the proposal demonstrates an understanding of the park's interpretive themes. More points will be awarded to proposals that integrate the park's interpretive theme into the daily operation of the concession.

Rental Offer**25 Points**

For the purpose of assigning points in the Proposal Evaluation, the highest acceptable* rental offer for each category of rent required (Rental Guarantee and Percentages of Gross Sales) will be assigned the maximum points available for that category. Each lower rental offer will be assigned points in relation to the highest rental offer as follows:

Rental Guarantee (Minimum bid is Guaranteed Rent)

$$\frac{(\text{Bid Amount}) \text{ minus } (\$40,000)}{(\text{Highest Bid Amount}) \text{ minus } (\$40,000)} \times 15 \text{ points} = \underline{\hspace{2cm}} \text{ points}$$

Percentage of Gross Sales (Minimum bid is 12%)

$$\frac{(\text{Bid Amount})}{(\text{Highest Bid Amount})} \times 10 \text{ points} = \underline{\hspace{2cm}} \text{ points}$$

*Note: the highest bids received may not be considered acceptable. Proposers may be required to prove to the satisfaction of the State their ability to operate a successful business under their rental offer. Failure to prove this ability will be cause to disqualify the proposal. In this case, the second highest acceptable bid would be used to calculate points awarded.

3.3

PROPOSAL EVALUATION SHEET

LEVEL I COMPLIANCE WITH RFP REQUIREMENTS

PROPOSER QUESTIONNAIRE

- I. PROPOSER INFORMATION
 - A. Proposer Identification _____ (pass/disqualify)
 - B. Business Information _____ (pass/disqualify)
 - C. Individual Information _____ (pass/disqualify)
 - D. Statement of Financial Capability _____ (pass/disqualify)
 - E. Credit Worthiness _____ (pass/disqualify)
 - F. Financial/Business/Vendor References _____ (pass/disqualify)
 - II. PROPOSAL INFORMATION
 - A. Operation Plan _____ (pass/disqualify)
 - B. Facility Plan _____ (pass/disqualify)
 - C. Interpretive Plan _____ (pass/disqualify)
 - D. Rental Offer _____ (pass/disqualify)
 - E. Concession Feasibility _____ (pass/disqualify)
 - III. PROPOSAL SUMMARY _____ (pass/disqualify)
 - IV. CERTIFICATION AND AUTHORIZATION
 - A. Labor Law Compliance Certification _____ (pass/disqualify)
 - B. Proposer Certification _____ (pass/disqualify)
 - C. Authorization to Release Information _____ (pass/disqualify)
- PROPOSER BOND** _____ (pass/disqualify)

Proposer must pass LEVEL I to qualify for further consideration.

LEVEL II RENT PROPOSED/CREDIT WORTHINESS & ABILITY TO FINANCE

- A. Rent Proposed Met/Exceeded Minimum Requirement _____ (pass/disqualified)
- B. Ability to Finance _____ (pass/disqualified)
- C. Credit Worthiness _____ (pass/disqualified)
- D. Compliance with National Labor Relations Act _____ (pass/disqualified)

Proposer must pass LEVEL II to qualify for further consideration.

LEVEL III PROPOSAL EVALUATION

- A. Proposer Information
 - Incumbent Preference _____ / 5 Points
 - Small Business Preference _____ / 5 Points
 - Experience _____ /15 Points
- B. Proposal Information
 - Operation Plan _____ / 20 Points
 - Facility Plan _____ / 20 Points
 - Interpretive Plan _____ / 10 Points
 - Rental Offer _____ / 25 Points

GRAND TOTAL _____ / 100 **Points**

Comments:

Board Member: _____ Date: _____

3.4 CONCESSION PROPOSAL, DPR 398

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

CONCESSION PROPOSAL

Channel Coast Camp Stores

(Name of Concession)

*An electronic version of this questionnaire may be requested
from the state park office issuing this Request for Proposal.*

The Proposer Questionnaire consists of the following sections:

- I. PROPOSER INFORMATION
 - A. Proposer Identification
 - B. Business Information
 - C. Individual Information
 - D. Statement Of Financial Capability
 - E. Credit Worthiness
 - F. Financial/Business/Vendor References
- II. PROPOSAL INFORMATION
 - A. Operation Plan
 - B. Facility Plan
 - C. Interpretive Plan
 - D. Rental Offer
 - E. Concession Feasibility
- III. PROPOSAL SUMMARY
- IV. CERTIFICATION AND AUTHORIZATION
 - A. Labor Law Compliance Certification
 - B. Proposer Certification
 - C. Authorization to Release Information
- V. PRIVACY NOTICE

I. PROPOSER INFORMATION

A. PROPOSER IDENTIFICATION

GENERAL INFORMATION

BUSINESS NAME _____
(Exactly as it is to appear on the Concession Contract)

ADDRESS _____

CITY/STATE/ZIP CODE _____

PHONE NUMBER _____ FAX NUMBER _____

EMAIL ADDRESS _____

CONCESSION MANAGER NAME _____

SMALL BUSINESS: No Yes S/B #: _____

FEDERAL ID NUMBER: _____

CONTACT PERSON

NAME _____

ADDRESS _____

CITY/STATE/ZIP CODE _____

PHONE NUMBER _____ FAX NUMBER _____

EMAIL ADDRESS _____

B. BUSINESS INFORMATION

Check the one box below that describes your type of business and complete/attach the associated information requested. Also attach an organization chart if appropriate.

SOLE PROPRIETORSHIP

PARTNERSHIP: Attach a complete copy of the Partnership Agreement. To qualify as a responsive proposer, the Partnership Agreement shall be executed and binding upon each of the parties.

- 1. Date partnership established _____
- 2. Is the Partnership Agreement recorded? Yes. Date _____ Where _____ No
- 3. Has the partnership done business in California? Yes. Dates _____ No

| | | | |
|-------------------------|------------------|--------------------------|---|
| 4. <u>PARTNER NAMES</u> | <u>ADDRESSES</u> | <u>NO. OF SHARES</u> | <u>GENERAL (G) or LIMITED (L)</u> |
| | | | <input type="checkbox"/> G <input type="checkbox"/> L |
| | | | <input type="checkbox"/> G <input type="checkbox"/> L |
| | | | <input type="checkbox"/> G <input type="checkbox"/> L |

JOINT VENTURE: Attach a complete copy of the Joint Venture Statement/Agreement. To qualify as a responsive proposal, the Joint Venture Statement/Agreement shall be executed and binding upon each of the parties.

- 1. Date joint venture established _____
- 2. Is the Joint Venture Statement/Agreement recorded? Yes. Date _____ Where _____ No
- 3. Has the joint venture done business in California? Yes. Dates _____ No
- 4. JOINT VENTURER NAMES AND SHARE ALLOCATIONS ADDRESSES

CORPORATION: Attach a Corporate Resolution indicating the officers authorized to contract on behalf of corporation. The Corporate Resolution shall contain the corporate seal and be certified by the Secretary of the corporation. To qualify as a responsive proposer, the corporation shall be in good standing and qualified to do business in the State of California.

- 1. Date incorporated _____
- 2. Place incorporated _____
- 3. Is the corporation authorized to do business in California? Yes No
- 5. How is the corporation held? Publicly. Below, explain how and where stock is traded. Privately
- 6. For publicly held corporations, attach a copy of the most current Annual Report.

B. PROPOSER BACKGROUND, continued

(CORPORATION - Continued)

7. Complete the information below:

AUTHORIZED ISSUED OUTSTANDING

Number of voting shares

Number of non-voting shares

Number of shareholders

Value per share of common stock: Date _____ Par _____ Book _____ Authorized _____

8. Complete the information below for each officer and director of the corporation, the shareholder who is not a corporation officer or director but owns the largest number of voting shares of corporation stock, and the shareholder who is not a corporation officer or director but owns the largest number of non-voting shares of corporation stock.

| <u>NAME</u> | <u>TITLE</u> | <u>ADDRESS</u> | <u>VOTING</u> <u>SHARES</u> | <u>NON-VOTING</u> <u>SHARES</u> |
|-------------|--------------|----------------|--------------------------------|------------------------------------|
|-------------|--------------|----------------|--------------------------------|------------------------------------|

9. Has a surety or bonding company ever been required to perform on the default of the corporation within the last ten (10) years?

Yes. Provide the information below for each default. No (*proceed to item 10*)

Surety/Bonding Company Name _____

Bond Date _____ Bond Amount _____

Explain the circumstances surrounding each default and actions taken by the surety or bonding company.

10. Has the corporation ever been adjudicated bankrupt or involved in pending bankruptcy matters?

Yes. Below, enter dates, court jurisdiction and amounts of liabilities and assets. No

11. Is the corporation presently a party to any pending litigation, liens or claims?

Yes. Below, enter detailed information for each legal action. No

12. Is the corporation subject to any outstanding claims, liens, or judgments?

Yes. Below, enter detailed information for each claim, lien or judgment. No

13. Has the corporation defaulted on, been terminated for non-performance or breach of contract, or voluntarily abandoned or forfeited rights under a contract for services or concessions contract?

Yes. Below, enter an explanation of the circumstances and outcomes of each event. No

D. STATEMENT OF FINANCIAL CAPABILITY

SOURCE OF FUNDING AND COST OF CONCESSION DEVELOPMENT

(Attach additional pages as necessary.)

BUSINESS FINANCIAL STATEMENT

For: _____ As of: _____
 (Business Name) (Date)

ASSETS

Current Assets

CASH ON HAND IN BANK _____

ACCOUNTS RECEIVABLE:

Current _____

Over 30 Days _____

Over 60 Days _____

NOTES RECEIVABLE DUE WITHIN 1 YEAR _____

MERCHANDISE INVENTORY: Cost/Market _____

OTHER CURRENT ASSETS:

Total Current Assets _____

Long Term Assets

NOTES RECEIVABLE DUE AFTER 1 YEAR _____

LAND AND BUILDINGS (at cost) _____

<Less> Reserve For Depreciation _____

FIXTURES AND EQUIPMENT (at cost) _____

<Less> Reserve For Depreciation _____

PREPAID EXPENSES/DEFERRED CHANGES _____

OTHER LONG TERM ASSETS:

Total Long Term Assets _____

*** TOTAL ASSETS *** _____

E. CREDIT WORTHINESS

(Attach additional pages as necessary.)

E. REFERENCES

Reference Type: Financial

Duplicate this page and submit one reference page for each reference type (financial, vendor, or client) required in the instructions.

REFERENCE NO. 1

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

REFERENCE NO. 2

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

REFERENCE NO. 3

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

REFERENCE NO. 4

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

E. REFERENCES

Reference Type: Vendor

Duplicate this page and submit one reference page for each reference type (financial, vendor, or client) required in the instructions.

REFERENCE NO. 1

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

REFERENCE NO. 2

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

REFERENCE NO. 3

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

REFERENCE NO. 4

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

E. REFERENCES

Reference Type: Client

Duplicate this page and submit one reference page for each reference type (financial, vendor, or client) required in the instructions.

REFERENCE NO. 1

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

REFERENCE NO. 2

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

REFERENCE NO. 3

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

REFERENCE NO. 4

Name/Firm _____

Address _____

Contact Person _____ Phone Number _____

Acct. Type(s) & Number(s) _____

Type of Business Relationship _____

Length of Association _____

II. PROPOSAL INFORMATION

(Attach separate pages as necessary)

A. OPERATION PLAN

No Operation Plan Required

- Vision/Mission Statement
- Organizational Structure
- Transition/Business Start-up plan
- Customer Service Plan
- Employee Staffing & Training Plan
- Marketing and Advertising Plan
- Community Involvement Plan

- Products, Merchandise, and Services Plan
- Prices and Pricing Policies
- Conservation and Recycling Plan
- Accessibility Plan
- Other: _____
- Other: _____
- Other: _____

B. FACILITY PLAN

No Facility Plan Required

- Furnishings Plan
- Capital Improvement Plan
- Maintenance and Housekeeping Plan
- Other: Temporary Facility Plan

- Implementation Plan
- Cost(s) estimates.
- Other: _____

C. INTERPRETIVE PLAN

No Interpretive Plan Required

- Proposer's Relevant Experience
- Business' Interpretive Theme
- Interpretive Programs and Activities
- Diversity Outreach Plan
- Other: _____
- Other: _____
- Other: _____

- Business' Ambiance Plan
- Primary Education Plan
- Food Service Plan

D. RENTAL OFFER

- Minimum Rental Guarantee: _____ (minimum acceptable bid is \$40,000)
- Percentage Rent: _____ (minimum acceptable bid is 12%)

E. CONCESSION FEASIBILITY

You may provide additional information, but do not alter the formats below in any way. You must respond to each item in the order listed with the information requested or N/A.

CONCESSION DEVELOPMENT COST ESTIMATE

| | | |
|--|-------|-------|
| PRELIMINARY PLANNING AND DESIGN | _____ | |
| CONSTRUCTION OF INTERIOR IMPROVEMENTS/FIXTURES | _____ | |
| EQUIPMENT/FURNISHINGS | _____ | |
| AUTOS/TRUCKS | _____ | |
| STOCK/INVENTORY | _____ | |
| LICENSES & PERMITS | _____ | |
| PREPAID EXPENSES | _____ | |
| OTHER COSTS: | | |
| _____ | _____ | |
| _____ | _____ | |
| _____ | _____ | |
| TOTAL DEVELOPMENT COSTS | | _____ |

PROPOSED MEANS TO FINANCE CONCESSION

| | | |
|------------------------------------|-------|-------|
| CONCESSIONAIRE SUPPLIED CAPITAL | _____ | |
| SHORT TERM LOANS (1 year or less) | _____ | |
| LONG TERM LOANS (more than 1 year) | _____ | |
| SUPPLIER CREDIT | _____ | |
| OTHER FINANCING: | | |
| _____ | _____ | |
| _____ | _____ | |
| _____ | _____ | |
| TOTAL FINANCING* | | _____ |

** Must meet or exceed "Total Development Costs" amount.*

| FINANCIAL PROFORMA | | | | | |
|---|---------------------|---------------|--------|--------|--------|
| Complete all aspects of this proforma as they apply to your proposed concession operation. Round figures to the nearest dollar. | | | | | |
| ITEM | YEAR 1 | YEAR 2 | YEAR 3 | YEAR 4 | YEAR 5 |
| GROSS PROFIT | | | | | |
| Gross Sales | | | | | |
| | | | | | |
| Total Gross Sales (1) | | | | | |
| <Less> Cost of Goods Sold (2) | | | | | |
| TOTAL GROSS PROFIT | | | | | |
| OPERATING EXPENSES | | | | | |
| Variable Operating Expenses | | | | | |
| Salaries & Payroll Related | | | | | |
| Taxes & Licenses (other than sales income) | | | | | |
| Insurance | | | | | |
| Advertising | | | | | |
| Maintenance & Repairs | | | | | |
| Utilities (including telephone) | | | | | |
| Legal & Accounting | | | | | |
| Rent to State | | | | | |
| Interest | | | | | |
| Supplies & Material | | | | | |
| Administrative Overhead | | | | | |
| Travel & Transportation | | | | | |
| Other: | | | | | |
| Total Variable Operating Expenses | | | | | |
| Fixed Operating Expenses | | | | | |
| Facility Improvements | | | | | |
| Equipment Purchases | | | | | |
| Amortization | | | | | |
| Depreciation | | | | | |
| Performance Bond | | | | | |
| Total Fixed Operating Expenses | | | | | |
| TOTAL OPERATING EXPENSES (3) | | | | | |
| * NET INCOME * <i>(before income taxes)</i> | | | | | |
| (1) EXPLAIN HOW YOU ARRIVED AT THE PROJECTED TOTAL GROSS SALES. | | | | | |
| (2) EXPLAIN HOW YOU CALCULATED COST OF GOODS SOLD. | | | | | |
| (3) EXPLAIN HOW YOU CALCULATED TOTAL OPERATING EXPENSES | | | | | |
| PREPARER SIGNATURE ▶ | TITLE | DATE | | | |
| PRINTED NAME | PHONE NUMBER | EMAIL ADDRESS | | | |
| ADDRESS | CITY/STATE/ZIP CODE | | | | |

III. PROPOSAL SUMMARY

(Attach seperate pages as necessary)

IV. CERTIFICATION AND AUTHORIZATION

A. LABOR LAW COMPLIANCE CERTIFICATION

I hereby certify that:

PROPOSER NAME _____

FEDERAL EMPLOYER ID NUMBER _____

ADDRESS _____

CITY/STATE/ZIP CODE _____

has not had more than one, final, unappealable finding of contempt of court by a federal court issued against the proposer for any violation of National Labor Relations Act provisions within the two-year period immediately preceding the closing date for acceptance of proposals under this Request for Proposals.

Additionally, I, the signatory, do hereby swear that I am duly authorized to legally execute the certification described above on behalf of the proposer. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.

| | |
|--|-----------|
| SIGNATURE  | DATE - |
| SIGNATORY'S PRINTED | TITLE |

B. PROPOSER CERTIFICATION

I/We am (are) personally acquainted with the premises of the subject concession and I/we have read, understand, and agree with the terms and conditions specified in this RFP document, including the Sample Concession Contract.

I/We meet the required experience qualifications and/or currently employ a Concession Manager who meets the qualifications.

I/We have the necessary financial resources to equip and operate the concession and perform the proposed capital investments, and I/we have enclosed a cashier’s check or Proposer’s Bond in the required amount, payable to the Department of Parks and Recreation, as a guarantee that, in the event my/our proposal is accepted and approved by the State, I/we will:

1. Execute and complete the Concession Contract, incorporating this proposal and all the terms and conditions contained in the RFP. The Concession Contract then will be executed by the State upon approval by the appropriate State agencies;
2. Provide the Performance Bond as required by the Concession Contract upon execution of the Contract by State; and
3. Provide the proposed guarantees, including rent, capital investments, equipment, and management and operation services.

I/We hereby certify that all responses and information provided in connection with this proposal are true to the best of my/our knowledge and belief, and I/we understand and agree that any misstatement or omission of any material fact may cause forfeiture on my/our part of all rights to the proposed agreement to be awarded by the State of California.

I/We hereby respectfully submit this proposal, including all required documents and statements. I/We represent that the signatories hold the positions set forth below their signatures and are authorized to execute this proposal.

If the proposal is made by a sole proprietor, this form shall be signed with the full name of the proposer. If it is made by a partnership, a limited partnership, or a joint venture, it shall be signed with the full name of each partner or member thereof. If it is made by a corporation, it shall be signed by: (1) the President, any Vice President, or the Chairman of the Board; and (2) by the Corporation Secretary, any Assistant Secretary, Chief Financial Officer, or any Assistant Treasurer.

| | | |
|----------------|--------------------------------|---------|
| SIGNATURE ▶ | POSITION/TITLE AND/OR FUNCTION | DATE |
| PRINTED NAME | PHONE NUMBER | FAX NO. |
| ADDRESS | CITY/STATE/ZIP CODE | |
| SIGNATURE ▶ | POSITION/TITLE AND/OR FUNCTION | DATE |
| PRINTED NAME | PHONE NUMBER | FAX NO. |
| ADDRESS | CITY/STATE/ZIP CODE | |
| SIGNATURE ▶ | POSITION/TITLE AND/OR FUNCTION | DATE |
| PRINTED NAME | PHONE NUMBER | FAX NO. |
| ADDRESS | CITY/STATE/ZIP CODE | |

State of California - The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION

C. AUTHORIZATION TO RELEASE INFORMATION

(General)

To Whom It May Concern:

I/my company have (has) submitted a proposal to the State of California, Department of Parks and Recreation, for a concession operation. I hereby authorize you to release or discuss any or all information in your possession pertaining to me as requested by an employee or representative of the State of California, Department of Parks and Recreation in connection with or to verify information submitted by me in the above-referenced proposal.

| | |
|---|-------------|
| PROPOSER SIGNATURE  | DATE SIGNED |
| PRINTED NAME | |
| POSITION/TITLE | |
| COMPANY NAME <i>(if applicable)</i> | |

V. PRIVACY NOTICE

Section 1798.17 of the Civil Code requires this notice be provided when collecting personal information from individuals. Each individual has the right to review his or her personal information maintained by this department unless exempted by law.

OFFICIAL RESPONSIBLE

Chief, Concessions, Reservations and Fees Division
California Department of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296-0001
(916) 653-7733

AUTHORITY

Public Resources Code Section 5080.08(a) and 5080.08(b)

PURPOSE

The information will be used for the purposes of evaluation to determine capabilities of proposers to perform the contract and to determine the best responsible proposer if an award is made.

PROVIDING INFORMATION

All information requested is mandatory.

EFFECTS OF NOT PROVIDING INFORMATION

If the requested information is not provided, the proposal will be determined to be not responsive and will be rejected.

KNOWN OR FORESEEABLE DISCLOSURES OF INFORMATION PURSUANT TO CIVIL CODE SECTIONS 1798.24, SUBDIVISIONS (e) OR (f)

Disclosure may be made to the Department of General Services, Office of the Attorney General, Department of Finance, Office of the Auditor General, or the Department of Parks and Recreation Audits Office.

SAMPLE CONCESSION CONTRACT