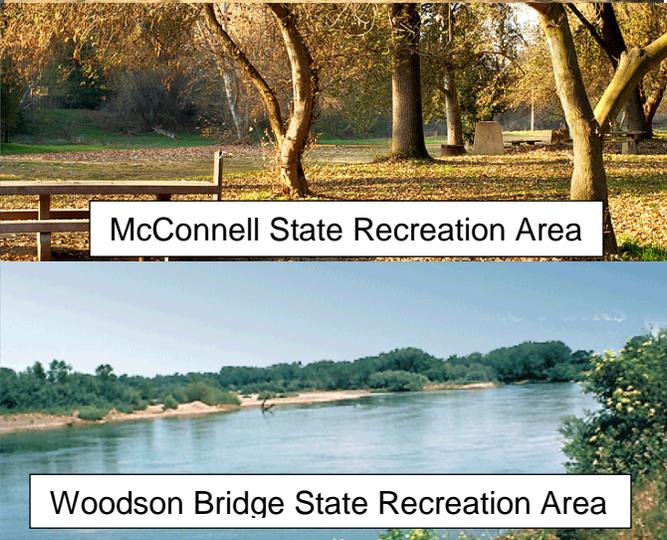


State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION

**Request for Proposals**  
at  
**Valley State Parks**  
**Camping and Day Use Area Concession**



Opening Date: March 8, 2012

Closing Date: May 1, 2012

STATE OF CALIFORNIA – NATURAL RESOURCES AGENCY  
DEPARTMENT OF PARKS AND RECREATION  
CONCESSIONS, RESERVATIONS and FEES DIVISION  
1416 NINTH STREET, 14<sup>TH</sup> 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 for the concession operation described below.

Concession Name:	Valley State Parks, Camping and Day Use Area Concession										
Park Unit (s):	Turlock Lake SRA, McConnell SRA, George J. Hatfield SRA, Woodson Bridge SRA, Brannan Island SRA										
Proposal Closing Time & Date:	2:00 PM on May 1, 2012										
Proposal Submission Location:	California Department of Parks and Recreation Concessions, Reservations and Fees Division 1416 Ninth Street, Room 1442-13 Sacramento, CA 95814										
Concession Type:	Campground, day use area, facility maintenance and housekeeping.										
Contract Term:	Five (5) Years with option to extend on a month to month basis										
Minimum Annual Rent Bid:	Minimum Annual Rent shall consist of:  <table style="margin-left: 20px; border: none;"> <tr> <td>Turlock Lake SRA</td> <td>\$5,200, annually</td> </tr> <tr> <td>McConnell SRA</td> <td>\$3,000, annually</td> </tr> <tr> <td>George J. Hatfield SRA</td> <td>\$400, annually</td> </tr> <tr> <td>Woodson Bridge SRA</td> <td>\$1,200, annually</td> </tr> <tr> <td>Brannan Island SRA</td> <td>\$12,200, annually</td> </tr> </table> <p style="margin-left: 20px;">or</p> <p style="margin-left: 20px;">3 percent (3%) of Gross Receipts,</p> <p style="margin-left: 20px;">or as bid,</p> <p style="margin-left: 20px;">whichever is higher</p>	Turlock Lake SRA	\$5,200, annually	McConnell SRA	\$3,000, annually	George J. Hatfield SRA	\$400, annually	Woodson Bridge SRA	\$1,200, annually	Brannan Island SRA	\$12,200, annually
Turlock Lake SRA	\$5,200, annually										
McConnell SRA	\$3,000, annually										
George J. Hatfield SRA	\$400, annually										
Woodson Bridge SRA	\$1,200, annually										
Brannan Island SRA	\$12,200, annually										
Proposal Bond:	Five Hundred Dollars (\$500)										
Performance Bond:	6 months Minimum Annual Rent, as bid										
Proposer's Minimum Years of Relevant Experience:	Three (3) Years										

For more information you may download the RFP at [www.parks.ca.gov/concessions](http://www.parks.ca.gov/concessions) or obtain a copy by emailing [concessions@parks.ca.gov](mailto:concessions@parks.ca.gov) or telephoning (916) 653-7733.

*Original signed by Director*

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Ruth Coleman, Director

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## SECTION 1 - PROJECT SUMMARY

### 1.1 GOAL & OBJECTIVES

#### Department Mission

The mission of California State Parks 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)

Acceptable proposals will provide continued public access, resource protection and use of campgrounds, day use areas, roads, trails and recreational facilities to the maximum extent possible at up to five California State Park units in the Central Valley area.

#### Objectives of this RFP

- 1) Maintain campground, day use, and recreational facilities and signage.
- 2) Ensure adequate staffing to maximize use and protection of facilities including roads and trails.
- 3) Collect campground and day use entrance fees.
- 4) Ensure the safety and convenience of for park visitors.
- 5) Protect the State's natural and cultural resources.

### 1.2 GENERAL INFORMATION

#### Closed Valley State Parks Proposed for Partial Concession Operation:

- Turlock Lake State Recreation Area
- McConnell State Recreation Area
- George J. Hatfield State Recreation Area
- Woodson Bridge State Recreation Area
- Brannan Island State Recreation Area

Detailed information on each of the above parks is available in the "Find a Park" section of the Department's website at <http://www.parks.ca.gov/parkindex/>.

#### Premises Description

The Sample Concession Contract, an attachment included with this RFP, contains Exhibit A. Exhibit A contains the following information that will be helpful in developing a proposal:

Exhibit A 1 Premises Description

Exhibit A 2 Premises Maps

Individual park unit utility costs and other unit costs are not available. Revenue and attendance statistical information is listed below:

<b>REVENUE AND ATTENDANCE STATISTICS</b>									
Unit Name	Fiscal Year	REVENUE				ATTENDANCE			
		Day Use	Camping	Other	Total	Paid Day Use	Free Day Use	Camping	Attendance
Brannan Island SRA	2010-2011	\$102,977	\$200,102	\$300	<b>\$303,379</b>	46,410	10,961	18,397	<b>75,768</b>
	2009-2010	\$129,405	\$222,371	\$590	<b>\$352,366</b>	66,906	26,231	25,308	<b>118,445</b>
	2008-2009	\$128,791	\$251,458	\$8,756	<b>\$389,004</b>	72,255	16,204	36,069	<b>124,528</b>
	2007-2008	\$110,539	\$273,876	\$10,883	<b>\$395,297</b>	67,017	11,825	42,838	<b>121,680</b>
	2006-2007	\$101,066	\$223,299	\$10,970	<b>\$335,335</b>	54,341	9,331	42,177	<b>105,849</b>
<b>Park Unit 5 Year Totals</b>					<b>\$1,775,382</b>				<b>546,270</b>
Turlock Lake SRA	2010-2011	\$84,676	\$87,804	\$0	<b>\$172,480</b>	30,162	7,411	11,836	<b>49,409</b>
	2009-2010	\$76,567	\$76,408	\$0	<b>\$152,975</b>	31,330	8,970	11,845	<b>52,145</b>
	2008-2009	\$62,453	\$64,626	\$3,083	<b>\$130,161</b>	40,581	10,989	11,782	<b>63,352</b>
	2007-2008	\$60,668	\$69,804	\$3,023	<b>\$133,495</b>	36,451	11,593	10,968	<b>59,012</b>
	2006-2007	\$68,018	\$58,809	\$10,764	<b>\$137,591</b>	44,608	9,404	11,082	<b>65,094</b>
<b>Park Unit 5 year Totals</b>					<b>\$726,703</b>				<b>289,012</b>
George J. Hatfield SRA	2010-2011	\$3,959	\$9,641	\$0	<b>\$13,600</b>	2,289	1,891	3,290	<b>7,470</b>
	2009-2010	\$8,232	\$13,027	\$0	<b>\$21,259</b>	4,010	3,284	4,082	<b>11,376</b>
	2008-2009	\$8,540	\$14,627	\$0	<b>\$23,167</b>	4,628	5,337	7,955	<b>17,920</b>
	2007-2008	\$6,489	\$11,151	\$0	<b>\$17,640</b>	3,987	7,576	7,751	<b>19,314</b>
	2006-2007	\$4,646	\$6,010	\$0	<b>\$10,656</b>	2,178	5,550	5,761	<b>13,489</b>
<b>Park Unit 5 year Totals</b>					<b>\$86,322</b>				<b>69,569</b>
Woodson Bridge SRA	2010-2011	\$2,175	\$37,959	\$25	<b>\$40,160</b>	1,419	10,241	3,517	<b>15,177</b>
	2009-2010	\$2,109	\$36,384	\$0	<b>\$38,493</b>	1,742	6,422	4,913	<b>13,077</b>
	2008-2009	\$3,219	\$36,840	\$1,462	<b>\$41,521</b>	2,648	9,877	11,824	<b>24,349</b>
	2007-2008	\$3,137	\$37,822	\$1,552	<b>\$42,511</b>	1,761	19,741	7,534	<b>29,036</b>
	2006-2007	\$3,486	\$38,259	\$1,857	<b>\$43,602</b>	1,542	18,817	7,296	<b>27,655</b>
<b>Park Unit 5 year Totals</b>					<b>\$206,288</b>				<b>109,294</b>

McConnell SRA	2010-2011	\$37,596	\$45,566	\$0	<b>\$83,162</b>	5,615	1,367	6,998	<b>13,980</b>
	2009-2010	\$50,849	\$45,612	\$0	<b>\$96,460</b>	0	0	0	<b>0</b>
	2008-2009	\$46,922	\$42,328	\$2,416	<b>\$91,666</b>	2,507	922	6,371	<b>9,800</b>
	2007-2008	\$42,134	\$46,100	\$2,883	<b>\$91,117</b>	9,532	4,482	18,116	<b>32,130</b>
	2006-2007	\$39,860	\$38,711	\$2,466	<b>\$81,038</b>	8,798	5,612	19,422	<b>33,832</b>
<b>Park Unit 5 year Totals</b>					<b>\$443,444</b>				<b>89,742</b>
<b>5 YEAR Totals</b>		<b>\$1,368,973</b>	<b>\$2,565,213</b>	<b>\$66,796</b>	<b>\$6,226,583.37</b>	<b>627,913</b>	<b>558,250</b>	<b>409,150</b>	<b>2,644,356</b>

Revenue and attendance statistical fluctuation are due to various factors including weather, fee structures, and episodic events and conditions. Analysis for the year-to-year fluctuations is not possible in this RFP.

### Site Visits

Proposers are encouraged to visit each of the five state park units. Please do not call State Park staff to obtain information or contact state park personnel living in state residences.

### 1.3 CONTRACT SUMMARY

Proposers must be familiar with and understand all the terms and conditions of the Sample Concession Contract (included herein). The proposal should be based on the requirements of this contract in its entirety. The successful proposer has up to seven (7) 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 the full range of park operations, 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 five (5) years.

Summary descriptions of some contract provisions are described below.

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

1. Pay the annual Rental Offer bid which will be either:
  - a. The Minimum Annual Rent, (Turlock Lake SRA, \$5,200/year; McConnell SRA, \$3,000/year; George J. Hatfield SRA, \$400/year; Woodson Bridge SRA' \$1,200/year; Brannan Island SRA, \$12,200/year).

or

- b. A Percentage of Gross Receipts (of at least 3.0%),

whichever is higher.

Maximum points will be given to the highest acceptable rental offer. The Minimum Annual Rent and Percentage of Gross Receipts will be the basis of scoring the rent criteria (see section 3.2).

**Facility Maintenance/Improvement Account**

Rent will go into a Facility Maintenance/Improvement Account to maintain the premises, facilities, furnishings, and equipment in good condition in accordance with the State Park standards contract provisions as described in Section 23 Housekeeping, and Maintenance, of the Sample Contract.

2. Operate campground, day use, and recreational facilities for public enjoyment and recreation in a high quality manner.
3. Establish and collect campground and/or day use fees consistent with charges at similar State-operated park units.
4. May provide sales and merchandise to support the park visitor's use of facilities, including but not limited to maps, brochures, and firewood.
5. Submit a list of proposed sales items to State for approval before they are sold on Premises.
6. Implement an Operations Plan for each park unit (prepared by Concessionaire) as specified in this RFP (Section 3. II. A. page 16) that clearly demonstrates the proposer's plan to provide services

and maintain facilities per the goals in the Project Summary. The Park Unit Operations Plans will become part of the contract subject to State review and approval.

7. Maintain the premises, trails, roads, facilities, furnishings, and equipment in good condition in accordance with Department standards and contract provisions.
8. Provide a continuing Performance Bond of at least six (6) months total rent as bid.
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 commercial general liability, automobile and worker's compensation 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.  
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.
12. Demonstrate compliance with labor laws as specified in this 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.**

**Concession Proposal (DPR 398)**

Proposers must submit their plans for each park they wish to operate using the Concession Proposal form (DPR 398) and related documents. A DPR 398 may be requested by email [concessions@parks.ca.gov](mailto:concessions@parks.ca.gov) or telephone at (916) 653-7733 from the Concessions Reservations and Fees Division.

## SECTION 2 - THE RFP PROCESS

### 2.1 PROPOSAL PROCESS

#### Tentative Proposal Dates

March 8, 2012.....	Opening Date - Publication of the RFP
March 23, 2012.....	Questions - Last date for proposers to submit written questions
April 9, 2012.....	Answers - DPR written responses to questions
May 1, 2012 .....	Closing Date - Deadline for proposal submission
May, 2012 .....	Investigation and evaluation of Proposals
June 1, 2012 .....	Notification of "Intent to Award Contract"
June 2012 .....	Award, preparation, and execution of contract
July 1, 2012.....	Five (5) 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.

#### RFP Content Questions

Questions regarding this RFP must be submitted in writing and received no later than 5 p.m. on March 23, 2012. To ensure fair competition, all proposers will receive the same information and materials; no telephone or personal inquiries about this RFP will be answered.

Please do NOT contact field staff. The California State Park website ([www.parks.ca.gov](http://www.parks.ca.gov)) contains information. For example, General Plan information is at [http://www.parks.ca.gov/?page\\_id=21299](http://www.parks.ca.gov/?page_id=21299).

Questions must be submitted in writing to the Department by email or fax at the address and phone numbers listed below. A written compilation of all questions and answers, and any RFP addenda, will be posted at [www.parks.ca.gov/concessions](http://www.parks.ca.gov/concessions) and 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, Room 1442.13  
P.O. Box 942896, Sacramento, California 94296-0001

Or

- Faxed to: (916) 657-1856

Or

- Emailed to: [concessions@parks.ca.gov](mailto:concessions@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 \$500. By submitting a proposal bond the proposer agrees that the bond may be cashed and retained by the State. If a cashier's check is submitted it will be cashed by the State. In the event the proposer fails to execute the contract, the bond or cashier's check will be retained by the State. 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 signed by the best responsible bidder.

## **Proposal Submission**

The proposal, including the Proposal Bond, must be received by 2:00 P.M. on May 1, 2012 at:

California Department of Parks and Recreation  
Concessions, Reservations, and Fees Division, Room 1442-13  
Sacramento, California 95814

## **Proposal Format & Content**

The proposal package must be sealed and clearly marked on the outside with "Proposal for Park Operations for \_\_\_\_\_ SRA".

Submit an original plus **seven (7)** copies of the 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 this 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 passed, proposals shall be irrevocable.

## **2.2 EVALUATION PROCESS**

### **Verification of Proposal Information**

The State will 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. Proposers may be required to make a presentation to 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 or 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. In the event the State does not identify a "Best Responsible Proposer" through the bid process, the State may negotiate a concession contract under the provisions of Public Resources Code Section 5080.16.

## **Protest of Award**

Based on California Code of Regulations, Title 14, Division 3, Chapter 3, Section 4400 and Department of Parks and Recreation policy, within ten (10) days after the Department has issued a notice of intent to award a concession contract for a term in excess of two (2) years following a request for proposals or invitation to bid, any proposer/bidder may file a written statement of protest against awarding of the contract with the Director of the Department. The statement shall be signed by the protestor, shall specify the grounds for the protest and may include a demand for a hearing. 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  
1416 Ninth Street, 14<sup>th</sup> Floor  
P. O. Box 942896  
Sacramento, California 94296-0001  
Fax: 916-657-3903

A copy of the protest must be served on the Attorney General within the ten-day period by the proposer/bidder. Serve the Attorney General at:

State of California  
Department of Justice  
Office of the Attorney General  
Land Law Section  
1300 I Street  
Sacramento, California 95814  
Facsimile: 916-322-5609

If a protest is timely served and a hearing is demanded, or if the Director on his or her own motion orders a hearing, proceedings shall be conducted according to the Administrative Procedure Act, and the protest statement shall be treated as a statement of issues. Any recommendation or decision of the hearing officer shall be submitted to the Director for approval, adoption, modification, disapproval, or other interlocutory or final action. If a hearing is not so demanded or ordered, the action of the Director 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 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 (DPR 398) and a Proposal Bond will constitute the proposal. Submit one DPR 398 for each park unit bid. A single DPR 398 for multiple park units will not be considered. To be considered, Proposer should 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 the proposal.

- The Department may be in discussions with non-profit organizations (NPOs) to operate one or more of the parks in this RFP. If an agreement is reached, potential bidders will be notified.
- Partnership proposals between for-profit and NPOs will be considered.
- In terms of this RFP, proposer(s) may select one, or multiple park units identified in this RFP by submitted a separate Concession Proposal for each park desired.

#### **Multiple Units**

- State reserves the right to issue single or multiple contracts based on the best responsible proposal(s).

The proposal must be clear and unambiguous. The proposal should clearly commit the proposer to enter into a contract with the State to provide the services and other concession improvements as required by this RFP and offered in the proposal. Financial commitments must be made conditional only on contract execution.

The submission of a proposal shall be deemed evidence that the proposer is aware of the responsibilities of being a concessionaire and has 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**

#### Proposer Name

Upon receiving the Notification of "Intent to Award Contract", the proposer must use a name other than a personal name and the name must be a business name registered with a county and/or as a corporation/LLC registered with Secretary of State.

#### 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. To claim this preference, proposals must include a copy of the Small Business Certification and Office of Small Business (OSB) identification number. To ensure a certifiable document, applications should be submitted to OSB well before the proposal closing day and properly identify a business type consistent with this RFP. It is the proposer's responsibility to contact OSB to verify the completeness of the application. Incomplete documents are not certifiable. Proposers may obtain an application for Small Business Certification from:

Office of Small Business and DVBE Certification  
707 Third Street, 1<sup>st</sup> 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, Limited Liability Company or Corporation, nonprofit and provide the requested information.

### For profit Businesses

The type of business must be established prior to submitting a proposal and must not be a condition of receiving the contract. Limited Liability Companies (LLC) must include a copy of their Articles of Organization with the California Secretary of State seal (LLC-1 or LLC-5) and the Statement of Information (LLC-12) to identify the managing member or members of the Organization

### Nonprofit Corporations

Submit copies of:

- IRS Letter of Determination
- Articles of Incorporation, certified by Secretary of State
- Bylaws, showing date approved by the Board of Directors
- Board Member roster.

## **C. Individual Information**

This section must be completed by each individual, partner, and member of joint ventures; CEO, officers, and holders of 25% or more of the company's shares for corporations; concession manager; and the managing member(s) of the organization identified on the LLC-12 for a limited liability company. The aforementioned identified individual(s) must also complete and sign the Authorization to Release Information in Section IV.

### Experience

For the purposes of this RFP, proposers must have a minimum of three (3) years of experience in any of the following areas: provision of visitor services in a public or private park, public access to parks, improvement of park facilities, interpretive, educational or recreational services, direct protection and

stewardship of natural, cultural or historic lands and resources; operation or management of campgrounds.

Proposer(s) with less than the required three (3) years of experience will be disqualified.

Provide a narrative describing in detail the duration, extent, and quality of the proposer's education and business experience with special emphasis on the experience and qualifications related to the subject concession. Be specific with respect to the type and dates of experience, the proposer's 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 an ability to successfully operate the proposed concession. Attach additional information as needed.

#### **D. Statement of Financial Capability**

Proposers must present evidence satisfactory to the State demonstrating their ability to operate and maintain the park operations as proposed. The proposer's statement of financial capability must include the source of funding and detailed information including:

Ability to Finance: Identify and describe the specific source of funding that the business will use to undertake the project as 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, proposer 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 the business' assets, liabilities, and net worth. Round figures to the nearest dollar. If the business is a partnership or joint venture, each general partner or joint venturer must individually submit a Business Financial Statement. Proposer may provide copies of forms filed with the Internal Revenue Service, where applicable.

Financial Proforma: Provide annual revenue projections and anticipated operating costs for the period of proposed operation. Rent proposal to State shall be based on any net profit projections identified within the Financial Proforma.

#### **E. Credit Worthiness**

Proposers must present evidence of credit worthiness. At a minimum, evidence should include a credit report issued by a nationally recognized credit bureau within 60 days of the proposal due date and include the Fair Isaac Corporation (FICO) score. Any derogatory information listed on said reports must be explained. Below average FICO scores, outstanding debts, delinquent payment history on current concession contracts, and any other derogatory information may disqualify a proposal.

#### **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. Proposers should submit one reference for each reference type required below. However, to adequately substantiate the claims made in the proposal, proposers are encouraged to provide three references that are familiar with the

individual and business. Proposers should notify their references in writing that a representative from the State will be contacting them.

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

- Financial References: Include the bank or savings and loan institution.
- Client or Business References: Name clients or other persons that most accurately reflect the business performance and ability to fulfill contract obligations with other entities for the provision of goods and services.

## **II. PROPOSAL INFORMATION**

Provide an Operations Plan that includes each of the checked elements in the Concession Proposal form (DPR 398) as they apply to each **individual park unit** in this proposal. The proposal shall become an exhibit to the final contract, and therefore, serves as the proposer's commitment to implement the Plans as presented below. Proposers may submit additional information, such as samples, to describe and enhance their proposal.

### **A. Operations Plan**

The Operations Plan should address the following elements and must demonstrate an understanding of and commitment to achieving the objectives of this RFP for each Park unit. The proposal must also adhere to the operational requirements as described in the Sample Contract for each Park unit.

#### Vision/Mission Statement

The Vision/Mission Statement should capture both the State's and proposer's goals and objectives for the park operations with proposer's clear philosophy.

#### Organizational Structure

Provide an organization chart and staffing plan that can guide the operation and ongoing management of the park unit or portion thereof. The plan should identify and define all job classifications to be used and the required job skills and qualifications. Describe the assignments, duties, and schedules for each staffing level considering contract requirements, the proposed hours of operation (see Sample Concession Contract), and any unique seasonal and peak use circumstances. The plan must describe the services at each specific park unit.

#### Visitor Services, Campground, Day Use Area Operation

Demonstrate an ability and clear commitment to successfully implement an effective visitor service program, including overnight, day use, and recreational facility operations. Describe the scope of proposed operation in relation to the existing park unit facilities and features. Include a detailed description of the proposed services, including months, days and hours of operation, inclusive or exclusive of existing facilities and land use. The plan must describe the services at each specific park unit.

#### Security

Demonstrate in the proposal a plan to ensure a safe and secure environment for park visitors. Site security will be important to protect the park unit from crimes of opportunity considering the proposer's scope of operations. The plan must describe the safety and security at each specific park unit, including: security personnel (if needed) and how calls for service will be handled in accordance with the Sample Contract.

### Transition/Business Start-Up

Demonstrate in the proposal a plan and timeline for assuming park operations and providing a seamless transition in customer service. The plan must describe the timelines at each specific park unit.

### Maintenance and Housekeeping

In accordance with the Sample Contract, provide a comprehensive plan to maintain the concession facilities in as good, or better condition as received throughout the term of the contract. The maintenance plan provisions shall include housekeeping and maintenance schedules, and a realistic budget allocation noted on the Financial Proforma described above. Proposals should describe plan to address or mitigate deferred maintenance essential to continue operations during the five-year contract term. The plan must describe the services at each specific park unit.

Plans for facility improvement will need prior State approval and are not part of this RFP.

### Employee Staffing and Training

Employee policies and training program should include, but are not limited to, personnel policies; hiring practices; health, safety, and grievance policies and procedures; uniform policies and requirements; business orientation; job training; and park orientation training. Such programs must provide sufficient staffing with the skills, capabilities, and training to ensure the provision of uninterrupted, high-quality services to all park visitors. The plan must describe the employee staffing and training at each specific park unit.

At a minimum, a person having sufficient skill, knowledge, experience and authority for administering operations shall be on the Premises at all times while the concession is in operation.

- Concessionaire employees/volunteers are not State employees/volunteers.
- Concession employee training, is subject to State approval, and includes:
  - 1) Local points of interest.
  - 2) Responding to visitor inquiries.
  - 3) Expected jobs or tasks.
- Concessionaire employees conduct review with review and input from the State.

### Marketing and Advertising

The marketing program should include, but is not limited to, proposed approaches, methodologies, media, advertising materials, schedules; and include an appropriate budget allocation within the Financial Proforma described above. The plan must describe the marketing and advertising at each specific park unit.

### Community Involvement

Demonstrate in the proposal a plan for community involvement including benefits to the park, the surrounding community, and park visitors. This may include special events, educational programs, and community service activities that enhance and benefit the park's relationship with the local community and events. The plan must describe the Community Involvement at each specific park unit.

### Natural and Cultural Resource Management

Describe the proposer's experience and background in the protection and management of natural and cultural resources, including: archaeological sites and specimens, historic buildings and structures, cultural landscapes and historic vegetation, museum objects, manuscripts, archives, and photographs. In accordance with the Sample Contract, recognize the sensitivity of working in parks

with significant natural and cultural resource values. Acknowledge that California State Parks will retain lead authority for resource management.

#### Interpretation and Education

Describe the proposer's experience and background in managing, maintaining interpretive exhibits, facilities and developing or presenting interpretive and educational programs to the public.

#### Waste Management

Outline the proposer's 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. The plan should clearly commit the proposer to a program that will minimize negative impacts on the environment and encourage park visitors to do the same for each park unit.

#### Accessibility

Commit to ensuring that visitors with disabilities will have access to all of the services provided through the concession operation in accordance with the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, and California Government Code Sections 4450 et. seq. and 7250. Additional accessibility resources are available at [www.ada.gov](http://www.ada.gov); [http://www.parks.ca.gov/?page\\_id=21944](http://www.parks.ca.gov/?page_id=21944) (State Parks Accessibility Program; and [http://www.parks.ca.gov/?page\\_id=22651](http://www.parks.ca.gov/?page_id=22651) (All Visitors Welcome handbook).

#### Healthy Foods Initiative

If proposer intends to provide food service in operation, an important goal is the promotion of a healthy lifestyle in an environmentally-sustainable manner. Proposers should consider providing traditional menu items either updated to conform with the Department's healthy food requirements, or the addition of healthy food menu options.

#### Prices and Pricing Policies

Provide a price schedule for a representative sample of the products and services proposed. The policies should clearly demonstrate the relationship of pricing to the quality of services provided. Implementation of these policies should provide park visitors with recreational and educational opportunities at reasonable prices considering the competition of comparable markets for similar services and cost of doing business for each unit. All final camping and day use fees will require State's prior approval prior to implementation.

As a condition of the contract award, the successful proposer may be required to revise or further develop the Operations 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.

### **B. Rental Offer**

The Rental Offer consists of both the Minimum Annual Rent and the Percentage of Gross Receipts, as bid, whichever is higher. Any offer below the Rental Offer requirements will result in proposal disqualification. For purposes of this RFP, the Minimum Annual Rent must be at least (Turlock Lake SRA, \$5,200/year; McConnell SRA, \$3,000/year; George J. Hatfield SRA, \$400/year; Woodson Bridge SRA' \$1,200/year; Brannan Island SRA, \$12,200/year) and at least three percent (3.0%) of gross receipts, whichever is higher.

(Refer to 3.2 PROPOSER EVALUATION CRITERIA below for additional detail.)

## Rent Payment

Concessionaire will pay rent monthly based on the gross receipts for the month. At the contract year end, if the Minimum Annual Rent has not been met, the concessionaire will remit the balance. The Minimum Annual Rent will be adjusted at the end of 5 years (see Concession contract Exhibit B – Consumer Price Index Adjustment Formula).

### **C. Concession Feasibility**

Document proposer's ability to successfully implement park operations in a financially responsible manner, in accordance with the terms and conditions of the Sample Contract, including the proposed Operations Plan. This information must substantiate proposer's 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 rental offered; and provide a reasonable return on the investment. Fiscal documentation that will be considered in awarding points includes a Financial Proforma; statement of assets and liabilities; business, vendor, bank, and/or financial references; and credit report.

### **III. PROPOSAL SUMMARY**

The Proposal Summary should summarize relevant experience, knowledge, and expertise, and operations plans (as applicable) 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 Administrating Hearing decisions against each proposer. Proposer 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 the proposal will be disqualified.

#### **B. Proposer Certification**

A completed certification must be included with the proposal or it may 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 may be disqualified.

### **V. PRIVACY NOTICE**

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

## 3.2 PROPOSAL EVALUATION CRITERIA

### **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**

**25 Points**

For the purposes of this RFP, proposers must have a minimum of three (3) years of experience in a field related to park operation, protection, or stewardship as described in the Proposal Instructions. 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 operations described in this RFP.

### **Operations Plan**

**40 Points**

A maximum of forty points will be awarded based upon the degree to which the proposal addresses each of the elements described in Section II Proposal Information and identified in the DPR 398, Concession Proposal.

### **Rental Offer**

**30 Points**

The proposer will be required to pay each month their proposed Rental Offer amount of a Percentage of Gross Receipts, as bid.

Consideration will be given to the proposal(s) that guarantees operation of the maximum number of park units up to 5 referenced within this RFP.

#### **Multiple Proposal Bonus**

**additional 2 Points/proposal possible**

If a single entity submits proposals for multiple parks, each proposal, will receive two additional points. These points will only be awarded if proposals meeting minimum requirements for more than one park are submitted.

#### **Five Proposal Bonus**

**additional 2 Points/proposal possible**

Proposers who submit proposals for operating overnight, day use, and recreational facilities in all 5 parks will receive an additional 2 points per proposal. These points will only be awarded if proposals meeting minimum requirements for five parks are submitted and are in addition to the Multiple Proposal Bonus.

### **Proposal Points**

For the purpose of assigning points in the Proposal Evaluation, the highest acceptable\* Rental Offer for each category of rent required (Minimum Annual Rent and Percentage of Gross Receipts) will be assigned the maximum points available for that category. Each Rental Offer will be assigned points in relationship to the highest Rental Offer. Proposers must propose both a Minimum Annual Rent and a Percentage of Gross Receipts as specified in the Concession Proposal Form (DPR 398). Any offer below the Minimum Annual Rent or the Percentage of Gross Receipts will result in proposal disqualification.

\*Note: The highest bids may not be acceptable. Proposers may be required to prove to the satisfaction of the State their ability to operate a successful business based on their Rental Offer. Failure to prove this ability will be cause to disqualify the proposal. In this case, the next highest acceptable bid would be used to calculate points awarded.

**Rental Offer Scoring**

Each lower Rental Offer will be assigned points in relation to the highest rental offer based on the following formulas. Rental Offer scoring for each park will be as follows:

**Turlock Lake SRA**

**Minimum Annual Rent** (Minimum bid is \$5,152)  
$$\frac{(\text{Proposer } \$ \text{ bid amount}) \text{ minus } \$5,152}{(\text{highest } \$ \text{ bid amount}) \text{ minus } \$5,152} \times 20 \text{ points} = \text{_____ points}$$

and  
**Percentage of Gross Receipts** (Minimum bid is 3%)  
$$\frac{(\text{Proposal bid } \%)}{(\text{highest bid } \%)} \times 10 \text{ points} = \text{_____ points}$$

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**Total Rental Offer Points** \_\_\_\_\_/30 points

**McConnell SRA**

**Minimum Annual Rent** (Minimum bid is \$\$2,969)  
$$\frac{(\text{Proposer } \$ \text{ bid amount}) \text{ minus } \$2,969}{(\text{highest } \$ \text{ bid amount}) \text{ minus } \$2,969} \times 20 \text{ points} = \text{_____ points}$$

and  
**Percentage of Gross Receipts** (Minimum bid is 3%)  
$$\frac{(\text{Proposal bid } \%)}{(\text{highest bid } \%)} \times 10 \text{ points} = \text{_____ points}$$

---

**Total Rental Offer Points** \_\_\_\_\_/30 points

**George J. Hatfield SRA**

**Minimum Annual Rent** (Minimum bid is \$\$400)  
$$\frac{(\text{Proposer } \$ \text{ bid amount}) \text{ minus } \$400}{(\text{highest } \$ \text{ bid amount}) \text{ minus } \$400} \times 20 \text{ points} = \text{_____ points}$$

and  
**Percentage of Gross Receipts** (Minimum bid is 3%)  
$$\frac{(\text{Proposal bid } \%)}{(\text{highest bid } \%)} \times 10 \text{ points} = \text{_____ points}$$

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**Total Rental Offer Points** \_\_\_\_\_/30 points

**Woodson Bridge SRA**

**Minimum Annual Rent** (Minimum bid is \$1,170)

$$\frac{(\text{Proposer } \$ \text{ bid amount}) \text{ minus } \$1,170}{(\text{highest } \$ \text{ bid amount}) \text{ minus } \$1,170} \times 20 \text{ points} = \underline{\hspace{2cm}} \text{ points}$$

and

**Percentage of Gross Receipts** (Minimum bid is 3%)

$$\frac{(\text{Proposal bid } \%)}{(\text{highest bid } \%)} \times 10 \text{ points} = \underline{\hspace{2cm}} \text{ points}$$

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**Total Rental Offer Points**

                    /30 points

**Brannan Island SRA**

**Minimum Annual Rent** (Minimum bid is \$12,180)

$$\frac{(\text{Proposer } \$ \text{ bid amount}) \text{ minus } \$12,180}{(\text{highest } \$ \text{ bid amount}) \text{ minus } \$12,180} \times 20 \text{ points} = \underline{\hspace{2cm}} \text{ points}$$

and

**Percentage of Gross Receipts** (Minimum bid is 3%)

$$\frac{(\text{Proposal bid } \%)}{(\text{highest bid } \%)} \times 10 \text{ points} = \underline{\hspace{2cm}} \text{ points}$$

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**Total Rental Offer Points**

                    /30 points

**3.3 PROPOSAL EVALUATION SHEET**

Proposal Name: Valley State Park Camping and Day Use Area Concession

Park Name: \_\_\_\_\_ Proposer Name: \_\_\_\_\_

(One (1) Evaluation Sheet per park concession proposal.)

**LEVEL I COMPLIANCE WITH RFP REQUIREMENTS**

**PROPOSER QUESTIONNAIRE**

**I. PROPOSER INFORMATION**

- A. Proposer Identification \_\_\_\_\_ (pass/disqualify)
- B. Business Information \_\_\_\_\_ (pass/disqualify)
- C. Individual Information - Minimum Experience \_\_\_\_\_ (pass/disqualify)
- Statement of Financial Capability \_\_\_\_\_ (pass/disqualify)
- D. Credit Worthiness \_\_\_\_\_ (pass/disqualify)
- E. Financial/Business/Vendor References \_\_\_\_\_ (pass/disqualify)

**II. PROPOSAL INFORMATION**

- A. Operations Plan \_\_\_\_\_ (pass/disqualify)
- B. Rental Offer \_\_\_\_\_ (pass/disqualify)
- C. Concession Feasibility \_\_\_\_\_ (pass/disqualify)

**III. PROPOSAL SUMMARY** \_\_\_\_\_ (pass/disqualify)

**IV. CERTIFICATION of PROPOSER INFORMATION**

- A. Labor Law Compliance Certification \_\_\_\_\_ (pass/disqualify)
- B. Proposer Certification \_\_\_\_\_ (pass/disqualify)
- C. Authorization to Release Information \_\_\_\_\_ (pass/disqualify)

**V. PRIVACY NOTICE**

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

**PROPOSER BOND** \_\_\_\_\_ (pass/disqualify)

*Proposer must pass LEVEL I to qualify for further consideration.*

**LEVEL II RENT PROPOSED/ FINANCE ABILITY/CREDIT WORTHINESS/COMPLIANCE**

- 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

Small Business Preference \_\_\_\_\_ / 5 Points

Experience \_\_\_\_\_ / 25 Points

B. Proposal Information

Operation Plan \_\_\_\_\_ / 40 Points

Rental Offer \_\_\_\_\_ / 30 Points

Concession Feasibility\* \_\_\_\_\_ / Pass/Fail \*

\* A 'fail' rating in this category disqualifies the proposal.

**TOTAL \_\_\_\_\_ / 100 Points**

**Multiple Proposal Bonus \_\_\_\_\_ / 2 points**

(If multiple proposals, award 2 additional points per proposal meeting minimum requirements)

**Five Proposal Bonus \_\_\_\_\_ / 2 points**

(If 5 proposals meet minimum requirements, award 2 additional points per proposal)

**Grand Score Possible (including all Bonus points) \_\_\_\_\_ / 104 Points**

Comments:

Board Member: \_\_\_\_\_ Date: \_\_\_\_\_

### **3.4 CONCESSION PROPOSAL, DPR 398**

Interested parties may, request an electronic version of the DPR 398 Concession Proposal form from Concessions Reservations and Fees Division at (916) 653-7733 or by email at [concessions@parks.ca.gov](mailto:concessions@parks.ca.gov).

### **3.5 SAMPLE CONCESSION CONTRACT**

A sample concession contract for this RFP is available at

<http://www.parks.ca.gov/pages/22374/files/Valley%20Contract%203-8-12.pdf>.