

REQUEST FOR PROPOSALS
FOR
Ferry Service from Tiburon to Angel Island
AT
Angel Island State Park

RFP#: P17CA034



Opening Date
May 30, 2018

Closing Date
July 31, 2018

STATE OF CALIFORNIA – NATURAL RESOURCES AGENCY
DEPARTMENT OF PARKS AND RECREATION
PARTNERSHIPS OFFICE
1416 NINTH STREET, 14TH FLOOR
SACRAMENTO, CA 95814



NOTICE OF REQUEST FOR PROPOSALS

Notice is hereby given that the California State Parks (State) is now accepting proposals for the concession operation described below.

Operation Type:	Ferry Service from Tiburon to Angel Island
Concession Name:	
Park Unit:	Angel Island State Park
Proposal Closing Time & Date:	2:00 PM on Tuesday, July 31, 2018
Proposal Submission Location:	Partnerships Office 1416 Ninth Street, Suite 1442-7 Sacramento, CA 95814
Concession Type:	Ferry Service to Angel Island State Park
Contract Term:	Twenty (20) years
Monthly Minimum Rent Bid:	The greater of zero dollars (\$0) per month or eight (8%) percent of monthly gross receipts of the first \$21,000 and then ten (10%) percent of monthly gross receipts over \$21,000 and collection of day use fees
Proposal Bond (due at time of proposal submission):	Ten thousand dollars (\$10,000)
Performance Bond (due at time of Contract execution):	One year's guaranteed rent as bid
Proposer's Minimum Years of Relevant Experience:	5 years
Optional Pre-Proposal Meeting:	Wednesday, June 20, 2018 at 6:00 PM

For more information or to purchase a copy of the complete RFP, please contact Kevin White at (916) 654-8924 or email kevin.white@parks.ca.gov.

Lisa Ann L. Mangat, Director

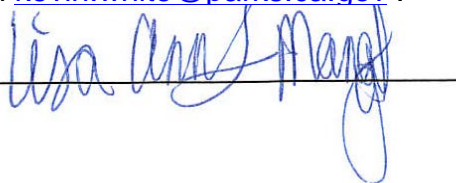


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SECTION 1 - PROJECT SUMMARY

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 and Objective of this Request for Proposals (RFP)

The goal of this RFP is to award a twenty (20) year concession contract to a proposer with verified dock facilities in Tiburon, CA who will operate a ferry service to and from Angel Island State Park (SP). The proposer should have the experience, knowledge, enthusiasm and the resources to successfully provide ferry service at reasonable prices by partnering with California State Parks.

1.2 GENERAL INFORMATION

Site Description

Angel Island SP is a 738 acre park, accessible only by boat, in the middle of San Francisco Bay. The park offers spectacular views of the San Francisco skyline, the Marin Headlands and Mount Tamalpais; it includes hiking trails, environmental campsites and extensive day use facilities for groups and individuals. Angel Island SP attracts approximately 200,000 visitors annually due to the proximity to the San Francisco Bay Area, favorable year-round weather conditions, the natural ocean-front setting and historical facilities and features.

Visitors can hike the foot trails and fire roads that circle the island and climb to the 781 foot high summit of Mount Caroline Livermore. Beaches at Quarry Point and Ayala Cove are both sandy and protected from the afternoon breezes that often blow in from the ocean through the Golden Gate Bridge. The water at Perles Beach is considerably rough and the beach is more exposed to wind and weather. The view, however, is spectacular and Perles Beach is a delightful area for walking and general beachcombing.

Angel Island SP concessionaires include the current Tiburon to Angel Island SP ferry service, as well as ferry service from San Francisco, and land-based concessions including a tram service, equipment rentals, and food services. Transportation to the island is also provided by ferry through the Water Emergency Transportation Authority (WETA).

Current Concession Operation

Current Angel Island SP ferry concession operations include docking facilities and a fleet of ferry vessels. The General Plan found that the ferry service concession is "indispensable to visitor use" allowing access to the park.

Tiburon to Angel Island Ferry gross sales and annual rent generated by the incumbent concessionaire between fiscal years 2011-12 and 2014-15:

Fiscal Year	Annual Gross Sales	Rent to State	Day Use Fees	Visitation
2014/2015	\$1,202,243	\$105,450	\$194,211	199,806
2013/2014	\$1,048,004	\$88,880	\$194,550	192,104
2012/2013	\$1,011,304	\$87,705	\$169,510	183,081
2011/2012	\$924,856	\$79,975	\$149,047	176,056

NOTE: The preceding is for general information only; the State does not guarantee its accuracy. It is recommended that proposers personally investigate the premises and park environs.

Historical Significance

The island is alive with history. Three thousand years ago the island was a site for fishing and hunting for Coastal Miwok Indians. It was later a haven for Spanish explorer Juan de Ayala, a cattle ranch and U.S. Army post.

From 1910 to 1940, the island processed thousands of immigrants. During World War II, Japanese and German POWs were held on the island, which was also used as a jumping-off point for American soldiers returning from the Pacific. In the '50s and '60s, the island was home to a Nike missile base.

1.3 CONTRACT SUMMARY

This concession contract, for twenty (20) years, will provide for the operation of a ferry service from Tiburon to Angel Island. The intent of the concession contract is to provide the public with high-quality, reasonably priced service in an authentic manner and atmosphere that enhances the visitor's experience and the interpretive, natural and cultural resources of the park.

The following is a summary of important concession contract provisions. It is critical for proposers to understand all the terms and conditions of the Sample Concession Contract included herein. If a proposer is awarded a concession contract, the successful proposer has 30 days to review and sign the awarded concession contract. The successful proposer shall be expected to accept the provisions of the Sample Concession Contract as written. If necessary, minor clarifications, approved by State staff counsel, the Department of General Services, and the Attorney General, may be made prior to the concession contract execution.

Summary descriptions of important contract provisions are described below:

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

1. Have verified access to dock facilities to accommodate a ferry service in Tiburon. The facilities should have a passenger waiting area with access to public restrooms and parking facilities in close proximity.

2. Provide State a minimum of 60 feet of dock space and a 6 foot by 3 foot storage container at no cost to the State in the mainland dock located in Tiburon. The boarding dock shall provide an accessible ramp from the pier to the dock and from the dock to the vessel, which meets current local, state and federal safety standards.
3. Equip, operate and maintain a ferry service to transport park visitors to and from Tiburon and Angel Island State Park. A minimum of two ferry vessels, one with a minimum of capacity for 400 persons and another with capacity for 120 persons must be available at all times. Restrooms shall be provided on the vessels.
4. Daily ferry service shall be provided year round unless authorized by the District Superintendent or designee. At the State's request, the Concessionaire will be required to provide unscheduled ferry services to support emergency operations on the island.
5. The minimum hours of operations shall be from 10:00 a.m. to 6:00 p.m. or as authorized by the District Superintendent or designee. At a minimum, two (2) round trips from Tiburon are required daily unless otherwise authorized by the District Superintendent or designee.
6. Pay as minimum monthly rent the amount presented in the proposal, which, at a minimum, shall be the greater of zero dollars (\$0) per month or eight (8%) percent of monthly gross receipts up to \$21,000 and ten (10%) percent of monthly gross receipts over \$21,000 and collection of day use fees.
7. Collect Angel Island SP day use fees with its collection of ferry service fares from all fare paying park visitors. Each visitor shall receive a cash register and/or electronic receipt. Concessionaire will remit 100% of all day use fees collected with their monthly rent. Concessionaire will be required to use the State's reservation system for advance reservations and walk-up ticket sales and to take alternative payment including credit cards.
8. Provide an Operation Plan, Ferry and Mainland Dock Facility Plan, and Interpretive Plan as specified in the Proposal Instructions that clearly demonstrates 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.
9. Concessionaire shall work with the Angel Island SP land concessionaire and Angel Island State Park District Superintendent to create an Annual Operation Plan, which covers any changes to the annual schedule, joint marketing efforts and new pilot programs and associated schedules.
10. Maintain the premises, facilities, furnishings, and equipment in good condition in accordance with contract provisions. All ferry equipment and furnishings, as required, shall be maintained at Concessionaire's own cost and expense. Concessionaire must accept State dock premises as is.

11. Concessionaires may sell food, beverages, novelties, sundries, and other merchandise to Angel Island passengers as pre-approved by the District Superintendent.
12. Provide a continuing Performance Bond in the amount one year's annual rent as bid, allowing for CPI adjustments.
13. Pay for all taxes applicable to the operation of the concession, including possessory interest taxes, and all utility services as required by the concession contract.
14. Provide insurance as required by the concession contract.
15. Obtain all necessary licenses, permits, and approvals as set forth in the concession contract and abide by all applicable health, safety, and environmental codes and regulations.
16. Comply with the letter and spirit of current and subsequent guidelines or plans, including Park Unit General Plan amendments or updates, management and interpretive plans, historic structure reports, and others that may apply.
17. Demonstrate compliance with labor laws as specified in the RFP.

The successful proposer will not:

1. Provide sales 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 State.

Note: This concession 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

May 30, 2018	Opening Date - Publication of the RFP
June 20, 2018	Optional Pre-Proposal Meeting
June 30, 2018	Questions - Last date for proposers to submit written questions
July 10, 2018.....	Answers - DPR written responses to questions
July 31, 2018.....	Closing Date - Deadline for proposal submission
August 14, 2018	Investigation and evaluation of Proposals
August 28, 2018	Notification of "Intent to Award Contract"
November 28, 2018.....	Award, preparation, and execution of contract
January 1, 2019	Up to twenty (20) 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 concession contract be protested, additional time will be required to resolve the matter.

Optional Pre-Proposal Meeting

It is strongly recommended that the proposer or designated representative attend the optional pre-proposal meeting at 6:00 PM on Wednesday, June 20, 2018. Interested parties shall meet at the Del Mar Middle School, 105 Avenida Miraflores, Tiburon, CA 94920.

The meeting provides an equitable forum for all proposers to:

- Meet local State staff;
- Learn about the RFP process, including procedures for questions and answers, proposal submission, and concession contract award;
- Inspect the concession site and receive information on the park and facility history and the State 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 June 30, 2018. To ensure fair competition, all proposers will receive the same information and materials; no telephone or personal inquiries about this RFP will be answered. Questions will be submitted in writing to California State Parks 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 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 State Parks
Partnerships Office
1416 Ninth Street, Suite 1442-7
Sacramento, CA 95814
Attn: Kevin White, Concessions Specialist
Fax: (916) 657-1856

Proposal Bond

Proposals must be accompanied by a Proposal Bond or cashier's check payable to the State of California, California State Parks, in the amount **Ten Thousand Dollars (\$10,000)**. By submitting a proposal bond the proposer agrees that the bond or cashier's check 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 concession 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 concession contract but fail to execute and proceed with the concession 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 concession contract upon notification of award by the State. Bonds will be returned to all proposers once the concession contract is signed by the best responsible bidder.

Proposal Submission

The proposal, including the Proposal Bond, must be received by 2:00 PM on Tuesday, July 31, 2018 at:

California State Parks
Partnerships Office
1416 Ninth Street, Room 1442-7
Sacramento, CA 95814
Attn: Kevin White, Concessions Specialist

Proposal Format & Content

The proposal package must be sealed and clearly marked on the outside with "Concession Proposal for Angel Island Ferry Service". Please 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 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 clearly identify in writing, within the body of the proposal, all copyrighted material, trade secrets, or other proprietary information the proposer claims are exempt from disclosure under the Public Records Act, this includes denoting where the confidential material begins, ends, and the specific reason(s) for the

exemption. 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. Proposer acknowledges and understands that State may release information in the proposal claimed by proposer to be exempt from disclosure under the Public Records Act, and that proposer waives any claims against the State for this release.

Failure of a proposer to include this statement and/or identify in writing the claimed exempt material, as set forth above, shall be deemed a waiver of any exemption from disclosure under the Public Records Act. In the event of a protest to State's intent to award a concession contract, State may, in its sole discretion, release any or all of the contents of the proposals to the proposers for purposes of hearing the protest. Otherwise, proposer requests to review proposal submissions will not be allowed until after a fully executed concession contract is signed and approved 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 California State Parks. 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 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 California State Parks 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.**

Concession Contract Award Board

Upon receipt of multiple proposals, Concession Contract Award Boards are appointed by the Director of the California State Parks, 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 Bidder". The Award Board for this concession 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. Generally, staff from the park district(s) associated with the concession do not participate on the Concession Contract Award Board.

Concession Contract Award

If an award is made, the award for a concession contract will be to the "Best Responsible Bidder" in accordance with Section 5080.23 of the Public Resources Code. The "Best Responsible Bidder" 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. In the event of only one proposal for this concession contract, the State may award contract upon determination the one proposal passes each of the required RFP elements. 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 Bidder" 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 California State Parks policy, within ten (10) days after the State 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 California State Parks. 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 State Parks
1416 Ninth Street, 14th 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
Fax: 916-324-5569

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 (Govt. Code 110504). Issues not raised in the protest statement are deemed waived. The filing of a protest does not prevent the State from awarding the contract.

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 Plan, Ferry and Mainland Dock Facility Plan, and Interpretative Plan. 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 concession 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 Proposal Bond and select the next Best Responsible Bidder.

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 Proposal Bond and select the next Best Responsible Bidder.

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 the proposal. Proposer must complete all sections, respond to all questions, and fill in all blanks of the form. Inapplicable questions or blanks should be marked "N/A" or "Not Applicable". Failure to properly complete the form may disqualify the proposal. If the proposal receives a "disqualify" under Level I or Level II requirements listed within RFP Section 3.3 Proposal Evaluation Sheet, the proposal will be disqualified from further consideration.

The proposal must be clear and unambiguous. It should clearly commit the proposer to enter into a contract with the State to provide the services as required by this RFP and offered in the proposal. Financial commitments must be made and 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 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, limited liability company 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 periodic 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. 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 Services
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 fourteen million dollars (\$14,000,000) or less over the previous three (3) years, or a manufacturer with 100 or fewer employees.

A non-profit organization may qualify for the same preference points as a small business if registered with the Office of Small Business.

B. Business Information

Select the type of business that describes the proposing entity (Sole Proprietorship, Partnership, Joint Venture, Limited Liability Company or Corporation) and provide the requested information. The type of business must be established prior to submitting a proposal.

- Corporations shall include a copy of the Articles of Incorporation with the California Secretary of State seal, and a board resolution to authorize the concession proposal and identify the individual authorized to act on behalf of the corporation.
- Limited Liability Companies (LLC) shall 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.
- Partnerships shall include a copy of the Partnership Agreement which clearly describes the role of each partner.

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 purpose of this RFP, proposers must have a minimum of five (5) years' experience owning, managing or operating a business of similar type, size and scope as the concession operation set forth and described in this RFP. Proposals with less than the minimum 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 management role 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 finance, construct, operate, and maintain the concession facilities as proposed. The proposer's 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 the business will use to undertake the project as proposed. If the development will be funded by outside sources (i.e., parent company, third party, LLC partners, etc.), proposal must include documentation, such as a recent bank statement, balance sheet, income statement, or other supporting documents to demonstrate these funds are available, and a signed statement that these funds are unconditionally committed to this concession project. 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: The Business Financial Statement is intended to describe the condition of the proposer's current business, including assets, liabilities, and net worth. A complete and accurate Business Financial Statement will reflect assets equal to liabilities plus 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. Proposers may provide copies of forms filed with the Internal Revenue Service, Franchise Tax Board or statements prepared by a Certified Public Accountant in support of information contained in this statement.

E. Credit Worthiness

Proposers must present evidence of credit worthiness. At a minimum, this shall include a complete credit report from a nationally recognized credit bureau, such as Equifax or Experian, issued within 60 days of the proposal due date and include the FICO score for sole proprietors, each partner within a partnership, and managing member of an LLC. Corporations shall provide the report from a recognized agency such as Dun and Bradstreet (D&B). 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 negative credit history 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.
- Vendor References: Proposers should provide vendor references if they are a pre-existing business currently utilizing vendors.

II. PROPOSAL INFORMATION

Provide an Operation Plan, Ferry and Mainland Dock Facility Plan, and Interpretive Plan that addresses each of the checked elements in the Concession Proposal form (DPR 398). Each element of the Concession Proposal is described below. Proposers may submit additional information to describe and enhance their proposal.

As a condition of the contract award, the successful proposer may be required to revise or further develop these plans to the satisfaction of the State and prior to the execution of the contract. If and when it is accepted, the final plans will be incorporated as exhibits to the contract and become an obligation of the concessionaire.

A. Operation Plan

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

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. Your plan should identify and define all job classifications to be used and the required job skills and qualifications. At a minimum, staffing must identify a State liaison who will be accessible and responsive to State inquiries and requests to meet. 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.

Transition/Business Start-Up

Provide a plan and timeline for starting concession operation and providing a seamless transition in customer service. If applicable, this plan shall consider provisions for the

retention of employees of an existing concessionaire who may become displaced during the transition to a new concession operator.

Maintenance and Housekeeping

Provide a comprehensive plan to maintain the ferry vessels and concession facilities in a safe, sanitary and high quality condition throughout the term of the contract as defined in Sample Contract Section 10. The maintenance plan criteria include budget allocations, staff skills and qualifications, staffing patterns, and housekeeping and maintenance schedules.

Customer Service

Describe a clear commitment to successfully implement an effective customer service program. The 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 survey program.

Employee Staffing and Training

Your 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 orientation shall be sufficient to permit concession employees to reply adequately to inquiries from the visiting public and to help them understand the natural, cultural and historic attributes of the park. Training also shall include job or task-specific training necessary to ensure high-quality job performance in a manner consistent with the protection of the State Park System and its visitors.

Marketing and Advertising

Describe proposed marketing and advertising methods; identify media sources and sample advertising materials, schedules, brochures, signage; plans to collaborate and co-brand with California State Parks; and specify an annual marketing budget allocation. Favorable consideration will be given to proposals that identify focused efforts to increase visitors from California's multi-ethnic populations.

Community Involvement

Describe commitment to create added value and benefits to the surrounding community and park visitors. This may include special events, educational programs, and community service activities. In addition, proposer should identify any special skills, knowledge, and resources needed and available to implement the plan.

Products, Merchandise, and Services

Provide a detailed description of the proposed products and services to be provided by the concession operation. The products and services offered should meet or exceed the needs of the park users, and be compatible with and complementary to the mission of the park.

Prices and Pricing Policies

Provide a price schedule for a representative sample of the products and services proposed. Your plan must include a definitive description and explanation of the policies to be used to establish prices for food, beverages, products, and services. Favorable consideration will be given to proposals that include special discounts for families and large groups. The policies shall clearly demonstrate the relationship of pricing to product quality and portions. Implementation of these policies must provide park visitors with quality products and/or services at reasonable prices considering the competition of comparable markets for similar products and services.

Conservation and Recycling

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 proposer to a program that will minimize negative impacts on the environment and encourage park visitors to do the same. Additional points will be granted to those proposals that include clearly-defined clean emissions efforts within this section.

Accessibility

Describe commitment to ensure that visitors with disabilities will have access to all of the events and 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.parks.ca.gov/?page_id=21944 (State Parks Accessibility Program); and http://www.parks.ca.gov/?page_id=22651 (All Visitors Welcome handbook).

Healthy Foods Initiative

Describe commitment to promote a healthy lifestyle in an environmentally-sustainable manner. Proposers should consider providing traditional menu items either updated to conform to the State's healthy food requirements, or the addition of healthy food menu options.

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.

B. Ferry and Mainland Dock Facility Plan

After the State's review and approval, the Ferry and Mainland Dock Facility Plan from the successful proposal shall be included as an exhibit to the contract. The Ferry and Mainland Dock Facility Plan shall include, but not be limited to:

- Proof of ownership or long-term lease agreement of dock facility.
- A detailed description, location, dimension and layout of the proposed dock facility.
- A detailed description of any dock buildings, plans, drawing, parking and

- restroom facilities to be used.
- A detailed description of the size, capacity, and amenities of the ferry.
- An estimate of the cost to plan, design, construct, equip and furnish the concession mainland dock facility and ferry.

The proposer may include in their proposed Ferry and Mainland Dock Facility Plan additional improvement elements beyond the State's minimum requirements as outlined in this section of the RFP. More points will be awarded to creative proposals on the basis by which they exceed the minimum specifications through the presentation of added enhancements that further the intent of this RFP and serve to benefit the public and the State. Examples include, but are not limited to, exceptional use of space, drawings and specifications in an organized fashion, description of standards, craftsmanship and materials in detail, use of appropriate products and/or materials, landscape, building and equipment enhancements appropriate to the Park's architecture and history. All additional improvement elements added by the proposer must be consistent with the Park's General Plan, Mission and Objectives for this project and shall comply with Section 11 of the contract. The State shall be the sole judge as to the acceptability and value given for such proposed enhanced improvements.

The Ferry and Mainland Dock Facility Plan is an important part of the RFP response and will become a critical part of the contract when executed. The State reserves the right to negotiate with the successful proposer the inclusion or exclusion of any item or items in the Ferry and Mainland Dock Facility Plan that the State determines does not meet the intent of the RFP or the mission of the State. As a condition of the contract award, and prior to the execution of the contract, the successful proposer may be required to revise and/or further develop the Ferry and Mainland Dock Facility Plan to the satisfaction of the State. The final plan, when accepted, shall be incorporated as EXHIBIT I of the contract and become an obligation of the Concessionaire thereunder.

Equipment and Furnishings

Describe in detail the proposer's plan for the ferry vessels to be used and describe the location and physical attributes of the mainland docking and public restroom facilities. Implementation of proposer's plan should provide high quality concession facilities that are consistent with and will enhance park values, visitor services, and visitor experiences at the park.

Facility Development

Describe proposed facility improvements to meet or exceed the minimum requirements of this RFP. Include the resumes of the proposed architects and contractors to be used and descriptions and/or schematic drawings of the work to be accomplished and items to be installed. Proposer may submit lists, drawings, pictures, and diagrams to illustrate and clarify the plans.

Accessibility

Describe the proposer's plan to remove any identified physical barriers to accessibility. Include a description of the barriers identified, the means used to identify barriers and a timeline for the removal of said barriers.

Implementation

Provide a timeline for completion of any capital improvements and installation of said décor and equipment prior to the commencement of operations and a description of each step in the process.

Cost Estimates

Provide a cost breakdown for the Ferry and Mainland Dock Facility Plan.

As a condition of the concession contract award, the successful proposer may be required to revise or further develop the Ferry and Mainland Dock Facility Plan to the satisfaction of the State and prior to the execution of the concession contract. After the State's review and approval, the Ferry and Mainland Dock Facility Plan from the successful proposal shall be included as an exhibit to the concession contract.

C. Interpretive Plan

The Interpretive Plan is an important element of a concession and, consequently, can be 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 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. At a minimum, the concessionaire shall provide an area on the dock facilities to accommodate an Angel Island promotional, interpretive audio-visual presentation. In addition to the Interpretive Plan, the successful proposer will be required to implement the interpretive elements as described in the contract.

More points will be awarded to proposals that integrate the park's interpretive theme into the daily operation of the concession. Resources for the development of an Interpretive Plan are available at:

<http://www.parks.ca.gov/pages/735/files/interpplanningworkbookweb2013.pdf>

Interpretive aspects that will orient visitors to and encourage exploration of Angel Island SP are available on pages 78-79 of the Master Plan, specifically, Goal 1: Orient; Objective 1.1: Inform and Orient; Strategy 1.1.2: Develop a sense of anticipation and welcome at the ferry terminals; Tasks 1.1.2. a-e; Strategy 1.1.3: Develop a sense of anticipation and welcome upon arrival at AISP; Tasks 1.1.2. c-d at :

https://www.parks.ca.gov/pages/735/files/angel%20isl%20final%20imp%20single%20document%202009_10_07.pdf

Proposer's Relevant Experience

Describe proposer's experience, knowledge, skills, and abilities to develop and operate an interpretive program.

Business' Interpretive Theme

Describe the interpretive theme of the business including the specific years to be interpreted ("interpretive period").

Interpretive Programs and Activities

Describe plans for interpretive programs and activities. Interpretive activities should be conducted on a regular basis, integrating concession activities with the historic daily duties of a ferry operator of the interpretive period.

Diversity

Describe your plan to develop, operate, or provide an interpretive program for multi-ethnic, multi-generational visitors.

Business' Ambiance

Describe 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.

Primary Education

Describe plan to provide an educational experience to school age (K-8) children. For a State Park program to be considered educational, it must conform to standards established by the Department of Education at <http://www.cde.ca.gov/be/st/ss/>.

D. Rental Offer

The concessionaire will be required to pay as monthly rent a guaranteed amount (Rental Guarantee) or a Percentage of Gross Sales, whichever is greater. Proposers shall bid as specified in the Concession Proposal form (DPR 398). For the purposes of this RFP, the Rental Guarantee must be the greater of at least zero dollars (\$0) per month or eight (8%) percent of monthly gross receipts of the first \$21,000 and then ten (10%) percent of monthly gross receipts over \$21,000 and collection of day use fees. Any offer below the minimum rent requirements will result in proposal disqualification.

E. Concession Feasibility

Complete the Concession Development Cost Estimate, Proposed Means to Finance Concession, and the Financial Proforma with projections for the duration of the proposed contract term to demonstrate proposer's ability to successfully initiate and operate the proposed concession in a financially responsible manner. Fiscal documentation that will be considered to receive a pass include the financial proforma; the business financial statement; business, vendor, bank, and/or financial references; credit worthiness; and similar documents necessary to support the proposal commitments. The financial projections should consider the commitments made within the Operation Plan, Ferry and Mainland Dock Facility Plan, and the Interpretive Plan.

III. PROPOSAL SUMMARY

The Proposal Summary should summarize relevant experience, knowledge, and expertise as well as the Operation Plan, Ferry and Mainland Dock Facility Plan, and the Interpretive Plan 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. 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

This criteria is used by the Concession Contract Award Board to determine a total score for the Level III Evaluation.

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. The absence of Performance Evaluations defaults to a rating of “Excellent.”

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 California Department of General Services’ Office of Small Business.

Experience

10 Points

For the purposes of this RFP, proposers must have a minimum of (5) 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.

Ferry and Mainland Dock Facility Plan

20 Points

Points will be awarded based upon the degree to which the proposal addresses each of the required elements of the Ferry and Mainland Dock 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

15 Points

Points will be awarded based upon the degree to which the proposal demonstrates an understanding of the park’s interpretive programs and contributes to the overall interpretive messages of the park. 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:

$$\frac{\text{Rental Guarantee (Minimum bid is \$0 monthly)}}{\text{(Bid Amount) minus (\$0)}} \times 10 \text{ points} = \text{_____ points}$$

$$\text{(Highest Bid Amount) minus (\$0)}$$

$$\frac{\text{Percentage of Monthly Gross Sales (Minimum bid is 8\% of the first \$21,000)}}{\text{(Bid Amount)}} \times 7.5 \text{ points} = \text{_____ points}$$

$$\text{(Highest Bid Amount)}$$

$$\frac{\text{Percentage of Monthly Gross Sales (Minimum bid is 10\% over the first \$21,000)}}{\text{(Bid Amount)}} \times 7.5 \text{ points} = \text{_____ points}$$

$$\text{(Highest Bid Amount)}$$

*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.

Concession Feasibility

Pass/Fail

Complete the Concession Development Cost Estimate, Proposed Means to Finance Concession, and the Financial Proforma with projections for the duration of the proposed contract term to demonstrate proposer’s ability to successfully initiate and operate the proposed concession in a financially responsible manner. Fiscal documentation that will be considered to receive a pass include the financial proforma; the business financial statement; business, vendor, bank, and/or financial references; credit worthiness; and similar documents necessary to support the proposal

commitments. The financial projections should consider the commitments made within the Operation Plan, Ferry and Mainland Dock Facility Plan, and Interpretive Plan. Upon receiving a “pass” under Level II, concession feasibility will be further evaluated under Level III in relation to the Operation Plan, Ferry and Mainland Dock Facility Plan, and Interpretive Plan commitments.

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 – Minimum Experience _____ (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. Ferry and Mainland Dock 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/disqualify)
- B. Ability to Finance _____ (pass/disqualify)
- C. Credit Worthiness _____ (pass/disqualify)
- D. Compliance with National Labor Relations Act _____ (pass/disqualify)

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 _____ /10 Points

- B. Proposal Information
 - Operation Plan _____ / 20 Points
 - Ferry and Mainland Dock Facility Plan _____ / 20 Points
 - Interpretive Plan _____ / 15 Points
 - Rental Offer _____ / 25 Points
 - Concession Feasibility _____ Pass/Fail *

GRAND TOTAL _____ / 100 **Points**

Comments:

Chair, Concession Contract Award Board: _____

Date: _____

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

3.4 CONCESSION PROPOSAL, DPR 398

If interested in submitting a proposal, please request the DPR 398 Concession Proposal forms from Kevin White at (916) 654-8924 or email kevin.white@parks.ca.gov. Proposal forms will also be available at the Pre-Proposal Meeting.

SAMPLE CONCESSION CONTRACT