



ERRATUM #5

Issued: October 25, 2018

Big Basin Redwoods State Park Group Campground, Tent Cabins, and Retail Sales RFP #P18CA015

RFP Advertisement Date: August 8, 2018

The changes in this Erratum shall be included in the Request for Proposals (RFP) and Sample Contract and shall be part of the concession project document records. All conditions not affected by this Erratum shall remain unchanged.

1. RFP Revision(s)

DELETE and **REPLACE** RFP with attached RFP, (Attachment #1, 28 pages). Please note, only the portion of the RFP that is modified is included in the response. Refer to Attachment #1 for the entire RFP. The modifications are:

1) **Revision to Cover Page.**

Closing Date: November 28, 2018

2) **Revision to Notice of Request for Proposals, Page 1.**

Proposal Closing Time and Date: November 28, 2018, 2:00 PM

3) **Revision to SECTION 2- THE RFP PROCESS, Subsection 2.1 PROPOSAL PROCESS, Tentative Proposal Dates, Page 6.**

November 28, 2018.....Closing Date- Deadline for proposal submission

December 2018..... Investigation and evaluation of Proposals

January 2018..... Notification of "Intent to Award Contract"

January-February 2018 Award, preparation, and execution of contract

March 2018 Twenty (20) year contract begins

4) **Revision to SECTION 2- THE RFP PROCESS, Subsection 2.1 PROPOSAL PROCESS, Proposal Submission, first sentence, Page 7.**

The proposal, including the Proposal Bond, must be received by 2:00 PM on November 28, 2018

END OF ERRATUM #5

Attachments:

1. RFP

REQUEST FOR PROPOSALS
FOR
Group Campground, Tent Cabins, and Retail Sales
AT
Big Basin Redwoods State Park



Opening Date: August 8, 2018

Closing Date: November 28, 2018

RFP# P18CA015

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



NOTICE OF REQUEST FOR PROPOSALS

Notice is hereby given that the California Department of Parks and Recreation is now accepting proposals for the concession operation described below.

Concession Name:	Campground, tent cabins, and retail sales
Park Unit:	Big Basin Redwoods State Park
Proposal Closing Time & Date:	November 28, 2018 at 2:00 PM
Proposal Submission Location:	Department of Parks and Recreation Room 1431 1416 Ninth Street Sacramento, CA 95814
Concession Type:	Retail sales, lodging and campground
Contract Term:	Twenty (20) years
Annual Minimum Rent Bid:	Minimum annual rent of two hundred and twenty thousand dollars (\$220,000) or fourteen percent (14%) of gross receipts, whichever sum is greater
Capital Outlay:	A minimum of one million five hundred thousand dollars (\$1,500,000) for facility improvements
Proposal Bond (due at time of proposal submission):	Five thousand dollars (\$5,000)
Performance Bond (due at time of Contract execution):	One year's minimum annual rent as bid
Proposer's Minimum Years of Relevant Experience:	Five (5) years
Optional Pre-Proposal Meeting:	August 22, 2018 at 6:00 PM

For more information or to purchase a copy of the complete RFP, contact Concessions Specialist Anne Davigeadono at (916) 653-8939 or anne.davigeadono@parks.ca.gov.


Lisa Ann L. Mangat, Director

TABLE OF CONTENTS

NOTICE OF REQUEST FOR PROPOSALS	II
SECTION 1 - PROJECT SUMMARY	1
1.1 GOAL & OBJECTIVES	1
<i>California State Parks Mission</i>	<i>1</i>
<i>Park Mission.....</i>	<i>1</i>
<i>Goal of this Request for Proposals (RFP).....</i>	<i>1</i>
<i>Objectives of this RFP.....</i>	<i>1</i>
1.2 GENERAL INFORMATION.....	1
<i>Site Description.....</i>	<i>1</i>
<i>Current Concession Operation.....</i>	<i>3</i>
<i>Future Site Plans.....</i>	<i>3</i>
1.3 CONCESSION CONTRACT SUMMARY	4
SECTION 2 - THE RFP PROCESS	6
2.1 PROPOSAL PROCESS.....	6
<i>Tentative Proposal Dates.....</i>	<i>6</i>
<i>Optional Pre-Proposal Meeting</i>	<i>6</i>
<i>RFP Content Questions</i>	<i>6</i>
<i>Proposal Bond.....</i>	<i>7</i>
<i>Proposal Submission</i>	<i>7</i>
<i>Proposal Format & Content.....</i>	<i>7</i>
<i>Confidentiality of Proposals.....</i>	<i>7</i>
<i>Withdrawal of Proposals</i>	<i>8</i>
2.2 EVALUATION PROCESS.....	8
<i>Verification of Proposal Information</i>	<i>8</i>
<i>State's Right to Reject Proposals, Waive Defects and Requirements.....</i>	<i>8</i>
<i>Supplemental Information</i>	<i>8</i>
<i>Proposal Evaluation</i>	<i>9</i>
<i>Concession Contract Award Board</i>	<i>9</i>
<i>Concession Contract Award.....</i>	<i>9</i>
<i>Protest of Award.....</i>	<i>9</i>
2.3 CONTRACT EXECUTION	10
<i>Preparation of Contract.....</i>	<i>10</i>
<i>Performance Bond and Insurance.....</i>	<i>10</i>
<i>Failure to Sign/Deliver Contract</i>	<i>11</i>
SECTION 3 - THE PROPOSAL.....	11
3.1 INSTRUCTIONS FOR THE CONCESSION PROPOSAL.....	11
I. PROPOSER INFORMATION.....	11
II. PROPOSAL INFORMATION.....	14
III. PROPOSAL SUMMARY.....	19
IV. CERTIFICATION OF PROPOSER INFORMATION.....	19
V. PRIVACY NOTICE.....	19
3.2 PROPOSAL EVALUATION CRITERIA	20
3.3 PROPOSAL EVALUATION SHEET	22
3.4 CONCESSION PROPOSAL, DPR 398.....	24

SECTION 1 - PROJECT SUMMARY

1.1 GOAL & OBJECTIVES

California State Parks 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.

Park Mission

The purpose of Big Basin Redwoods State Park (SP) is to make available to the people forever, for their inspiration, enlightenment, and enjoyment, in an essentially natural condition, a coast redwood forest in the Santa Cruz Mountains, including the entire watersheds of Waddell and Ano Nuevo Creeks, and embracing coastal chaparral, evergreen woodland, and ocean shore; together with the outstanding recreational resources of this area and all related scenic, historic and scientific values.

Goal of this Request for Proposals (RFP)

The goal of this RFP is to award a twenty year (20) year concession contract to an individual or business entity to develop, operate, and maintain a camp store, gift shop, tent cabins and outdoor environmental education and group campground at Big Basin Redwoods State. The successful proposer must demonstrate the ability to meet the following objectives:

Objectives of this RFP

- Develop, operate and maintain a camp store, gift shop, tent cabins, and outdoor education and group campground concession;
- Invest a minimum of one million five hundred thousand dollars (\$1,500,000) for facility improvements and development;
- Improve the concession premises to ensure full compliance with the Americans with Disabilities Act (ADA) and all State and Local Government accessibility regulations;
- Provide the park visitor with high-quality retail items and lodging at reasonable prices;
- Provide reasonable financial compensation to support the State, including park operations and interpretive activities.

1.2 GENERAL INFORMATION

Site Description

Big Basin Redwoods SP is the oldest state park in California. It was established in 1902 with an initial acquisition of approximately 3,800 acres. The 18,000 acre park now preserves the largest continuous stand of ancient Coast Redwoods south of San Francisco, as well as Douglas fir, closed-cone pine/cypress, and montane riparian habitats. Included in the park are the West Waddell Creek Wilderness Area and the Theodore J. Hoover Natural Preserve.

The Big Basin camp store building is a significant cultural resource in the park. The building was completed in 1938 and is situated in the historic Governor's Camp. It was rebuilt almost directly on the site of Andrew P. Hill's original photography studio and post office, and expanded to include a studio, lunch room, store, and post office. Despite alterations to its exterior, the building retains a high level of integrity and exemplifies the building legacy of the park's rustic style, contributing significantly to the character of the historic Governor's Camp complex

Huckleberry Campground has 35 tent cabins each consisting of a wooden frame and canvas roof with two double beds and a wood burning stove. Every tent cabin site has a parking spur, fire ring, and picnic table. Also within the campground are two bathrooms offering eight toilets and four showers.

The Little Basin campground includes 36 tent sites, 14 rustic cabins, and a group camping area that can accommodate 50 campers. Each campsite is equipped with a charcoal burning BBQ grill, table, food locker, and a wood-burning fire pit. Many sites also accommodate trailer parking, although water and electric hookups for trailers are not available. All cabins include two double-bed frames, a single bed frame, table, small storage shelf, and electricity. The campground area also includes two bathhouse/shower rooms, water spigots, and restrooms with flush toilets. Environmental educational programming is offered to all groups utilizing the Little Basin campgrounds, including campfire talks, guided walks, and interpretive displays.

Historical Significance

Big Basin Redwoods SP is listed on the Natural Register of Historic Places as California State Historic Landmark #827. The park is associated with the formation of the Sempervirens Club, a group of conservationists who wished to preserve the redwoods in the region and whose efforts resulted in the establishment of Big Basin Redwoods SP as one of the earliest parks in the California State Park System.

There are three periods of significance for the development of Big Basin Redwoods SP:

1. 1902-1933: Early Development
2. 1933-1941: Civilian Conservation Corps (CCC) Development
3. 1945-1955: Post World War II Development

Among the historic resources in the park, the center of day-use visitation is the Governor's Camp or "park village" administration complex. The area was named Governor's Camp after three Governors visited the site just prior to and directly after the park was founded in 1902. Governor's Camp is representative of the State's earliest accommodations that were developed to address the need for interpretation and facilities due to increasing visitation. The historic complex includes the following buildings:

1. The Administration/Headquarters building constructed in 1936 and listed on the National Register of Historic Places in 2015;
2. The Campfire Center/Amphitheater built in 1911 and later reconstructed by the CCC in 1936;
3. The Lodge, or the Inn, originally constructed in 1907-08 and extensively remodeled by the CCC in the late 1930s and;

4. The Big Basin Camp Store/Museum, completed in 1938 during the CCC development.

Current Concession Operation

The gross sales and rent for the last five years as reported by the current concessionaires are as follows:

Camp Store, Gift Shop and Tent Cabin Concession

<u>Fiscal Year</u>	<u>Gross Receipts</u>	<u>Rent to State</u>
2016/17	\$1,629,874	\$273,920
2015/16	\$1,712,948	\$282,636
2014/15	\$1,980,383	\$247,301
2013/14	\$1,441,423	\$238,545
2012/13	\$1,234,846	\$204,805

Little Basin Campground Concession

<u>Fiscal Year</u>	<u>Gross Receipts</u>	<u>Rent to State</u>
2016/17	\$376,022	\$0*
2015/16	\$425,455	\$454
2014/15	\$396,993	\$26
2013/14	\$298,251	\$0
2012/13	\$202,743	\$0

* Rent term is \$1 or 1% of gross receipts in excess of \$380,000 annually, whichever sum is greater

Big Basin Redwoods State Park Visitation

<u>Fiscal Year</u>	<u>Visitation</u>
2016/17	Not Available
2015/16	855,667
2014/15	638,075
2013/14	685,727
2012/13	768,249

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.

Future Site Plans

The Big Basin Redwoods SP General Plan was approved on May 17, 2013. It seeks to optimize natural and cultural resource protection, and balance them with recreational and educational opportunities, activities, and facilities.

The plan states that the goal of concessions in the park is to “provide high quality recreation and visitor services through concession contracts while protecting the park’s natural, cultural, recreation and aesthetic resources, and improve facilities and services that will meet the needs of increasing visitation and changing needs of park visitors.”

1.3 CONCESSION CONTRACT SUMMARY

This twenty (20) year concession contract will provide for the operation of the camp store, gift shop, tent cabins and campgrounds at Big Basin Redwoods SP. The intent of the concession contract is to provide the public with high-quality, reasonably priced goods and services in an authentic manner and atmosphere that enhances the visitor's experience and the 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.

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

1. Equip, furnish, operate, and maintain the concession premises as a campground, camp store and gift shop with a historically relevant ambiance. At a minimum, the premises shall be operated in accordance with the "hours of operation" requirements set forth in the contract.
2. Operate and maintain 35 tent cabins including restrooms and a laundry facility for year-round use by the public.
3. Operate, maintain, and develop the Little Basin campgrounds, and facilities, as a group recreation and outdoor education facility.
4. Pay as annual rent the amount presented in the proposal, which, at a minimum, shall be two hundred and twenty thousand dollars (\$220,000) or fourteen percent (14%) of gross sales, whichever sum is greater.
5. Invest a minimum of one million five hundred thousand dollars (\$1,500,000) in the development of the store complex, tent cabins, ADA upgrades, and campgrounds.
6. Understand and implement all aspects of the park's Crumb Clean Campaign as required pursuant to the legal settlement with the Center for Biological Diversity.
7. Implement the Operation Plan, Facility Improvement Plan, and Interpretive Plan as described in Proposal Instructions that clearly demonstrates the proposer's plan to provide accessible services and facilities that comply with Federal, State, and Local accessibility guidelines. The plans will become exhibits of the final concession contract subject to State review and approval.
8. Maintain the premises, facilities, furnishings, and equipment in good condition in accordance with State standards and concession contract provisions.

9. Provide a continuing Performance Bond in the amount of one year's minimum annual rent as bid.
10. 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.
11. Provide commercial general liability insurance, worker's compensation insurance, and property insurance as required by the concession contract.
12. 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.
13. 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.
14. 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

August 8, 2018	Opening Date - Publication of the RFP
August 22, 2018	Optional Pre-Proposal Meeting
September 5, 2018.....	Questions - Last date for proposers to submit written questions
September 19, 2018.....	Answers - DPR written responses to questions
November 28, 2018.....	Closing Date - Deadline for proposal submission
December 2018.....	Investigation and evaluation of Proposals
January 2018	Notification of "Intent to Award Contract"
January-February 2018	Award, preparation, and execution of contract
March 2018	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 August 22, 2018 at the Santa Cruz District Office Core Staff Conference Room, 303 Big Trees Park Road, Felton, CA 95018. 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 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 PM on September 5, 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 the State by email, mail, or fax at the address and phone numbers listed below. A written compilation of all questions and answers, and any RFP addenda, will be posted at www.parks.ca.gov/concessions and sent by email 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:

Department of Parks and Recreation
Partnerships Office
1416 Ninth Street, Room 1442-7
Sacramento, CA 95814
Attn: Anne Davigeadono
anne.davigeadono@parks.ca.gov
Fax: (916) 657-1856

Proposal Bond

Proposals must be accompanied by a Proposal Bond or cashier's check payable to the State of California, Department of Parks and Recreation, in the amount of five thousand dollars (\$5,000). By submitting a proposal bond the proposer agrees that the bond 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 November 28, 2018 at:

Department of Parks and Recreation
Partnerships Office
1416 Ninth Street, Room 1431
Sacramento, CA 95814

Proposal Format & Content

The proposal package must be sealed and clearly marked on the outside with "Proposal for Campground, Tent Cabins, and Retail Sales at Big Basin Redwoods State Park". 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 the State. 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 the State 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 concession 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. Upon receipt of more than one proposal for this concession contract, a 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 Sheet. **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 Department of Parks and Recreation, 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 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.

Concession 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. 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 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 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 Department of Parks and Recreation
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, Facility Improvement, and Interpretive 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 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 Proposer Bond and select the next Best Responsible Proposal.

Failure to Sign/Deliver Contract

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

SECTION 3 - THE PROPOSAL

3.1 INSTRUCTIONS FOR THE CONCESSION PROPOSAL

A completed Concession Proposal form (also known as DPR 398) and a Proposal Bond will constitute the proposal. Proposer must complete all sections, respond to all questions, and fill in all blanks within 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 and other concession improvements 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, Division 2, Chapter 3, Subchapter 8, 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, 1st Floor, Room 400
West Sacramento, CA 95605
(800) 559-5529 or (916) 375-4940
Fax: (916) 374-4950

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 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 finance, construct, operate, and maintain the concession facilities as proposed. For the purposes of this RFP, proposers must have the ability to access a minimum of one million dollars five hundred thousand (\$1,500,000). 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, Facility Improvement, and Interpretive Plan (as required) 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

Provide a Vision/Mission Statement that captures both the California State Parks' mission and proposer's goals and objectives for the concession business.

Organizational Structure

Provide an organization chart and staffing plan that can guide the operations and ongoing management of the concession business. The plan should identify the proposed concession manager; position titles and salaries for all job classifications with a summary of the required job skills, qualifications and duties; and the number of existing or proposed employees in each job classification to support the operation.

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 concession facilities in a first-class condition throughout the term of the contract. The maintenance plan must describe staffing noting required skills or qualifications, any subcontracted services housekeeping and maintenance schedules, and annual budget allocation.

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 feedback survey program.

Employee Staffing and Training

Describe personnel policies and training program for all employees including, but not limited to, hiring practices; probationary period; health, safety, and grievance policies and procedures; performance monitoring; uniform requirements; business orientation; job training; and park orientation training. Such programs must provide sufficient staffing with the skills and knowledge to ensure the provision of high-quality services, to all park visitors.

Marketing and Advertising

Describe proposed marketing and advertising methods to promote the concession services as well as the park unit to enhance the number and diversity of park visitors. Identify media sources and sample advertising materials, schedules, brochures, signage, and specify an annual marketing budget allocation.

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 proposed products and services. The policies should include an explanation of the process to be used to establish prices for products and services. Such policies should provide park visitors with quality products at reasonable prices considering the competition of comparable markets for similar products, services and the cost of doing business.

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.

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. Facility Improvement Plan

The Facility Improvement Plan should address the following elements and meet or exceed the objectives of this RFP to provide high-quality and accessible facilities. Greater consideration will be given to those proposals that clearly demonstrate an ability to implement the plan. In addition, the successful proposer must adhere to the facility requirements as described in the Sample Concession Contract.

Furnishings

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

Facility Development

Describe proposed facility improvements to meet or exceed the minimum requirements of this RFP which include the following:

Store and Tent Cabins

- Replace store's front decking and steps
- Update electrical wiring with dedicated circuits for appliances in store and garage

- Replace or repair double pane store windows to match existing historic windows
- Replace rot on store's exterior wood siding
- Replace all stoves in tent cabins with EPA certified stoves
- Replace or repair redwood rail fencing in tent cabin area

Little Basin Campgrounds

- Find a new location for and build a well and water treatment plant to serve entire Little Basin premises
- Replace roofs on restroom buildings and cabins
- Slurry seal roads
- Bring all facilities, including campground restrooms, into compliance with: the Americans with Disabilities Act (ADA), all State and Local Government accessibility regulations and water conservation measures such as low flow fixtures.

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 Facility Improvement Plan, including furnishings.

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

C. Interpretive Plan

The Interpretive Plan should address each of the following elements and demonstrate an understanding of the park's interpretive programs, and contribute 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. Resources for the development of an Interpretive Plan are available at

www.parks.ca.gov/pages/735/files/interpPlanningWorkbookWEB2013.pdf and https://www.parks.ca.gov/pages/735/files/guide_for_preparing_furnishing_plan.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 shopkeeper of the interpretive period. Describe plan to 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.

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

D. Rental Offer

The concessionaire will be required to pay as annual rent a guaranteed amount (Rental Guarantee) or a Percentage of Gross Sales, whichever is greater. Proposers shall bid both the Rental Guarantee and the Percentage of Gross Sales as specified in the Concession Proposal form (DPR 398). For the purposes of this RFP, the Rental Guarantee must be at least two hundred and twenty thousand dollars (\$220,000) and a rent percentage of at least fourteen percent (14%) of gross sales.. 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, Facility Improvement, and Interpretive Plans (as applicable). Upon receiving a "pass" under Level II, concession feasibility will be further evaluated under Level III in relation to the Operation, Facility Improvement, and Interpretive Plan commitments.

III. PROPOSAL SUMMARY

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

IV. CERTIFICATION OF PROPOSER INFORMATION

A. Labor Law Compliance Certification

A request may be made to the National Labor Relations Board for information regarding Administrative Hearing decisions against each proposer. 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

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 Office of Small Business Certification.

Experience

15 Points

For the purposes of this RFP, proposers must have a minimum of five (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

A maximum of 20 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.

Facility Improvement Plan

20 Points

A maximum of 20 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.

Interpretive Plan**10 Points**

A maximum of 10 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**25 Points**

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

Rental Guarantee (Minimum bid is \$220,000 annually)

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

Percentage of Gross Sales (Minimum bid is 14% of gross sales)

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

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

3.3 PROPOSAL EVALUATION SHEET

LEVEL I COMPLIANCE WITH RFP REQUIREMENTS

PROPOSER QUESTIONNAIRE

I. PROPOSER INFORMATION

- A. Proposer Identification _____ (pass/disqualify)
- B. Business Information _____ (pass/disqualify)
- C. Individual Information – 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. Facility Improvement Plan _____ (pass/disqualify)
- C. Interpretive Plan _____ (pass/disqualify)
- D. Rental Offer _____ (pass/disqualify)
- E. Concession Feasibility _____ (pass/disqualify)

III. PROPOSAL SUMMARY _____ (pass/disqualify)

IV. CERTIFICATION AND AUTHORIZATION

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

PROPOSER BOND _____ (pass/disqualify)

Proposer must pass LEVEL I to qualify for further consideration.

LEVEL II RENT PROPOSED/CREDIT WORTHINESS & ABILITY TO FINANCE

- A. Rent Proposed Met/Exceeded Minimum Requirement _____ (pass/disqualified)
B. Ability to Finance _____ (pass/disqualified)
C. Credit Worthiness _____ (pass/disqualified)

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/Quality of Experience _____ / 15 Points
B. Proposal Information
 Operation Plan _____ / 20 Points
 Interpretive Plan _____ / 20 Points
 Facility Improvement Plan _____ / 10 Points
 Rental Offer _____ / 25 Points
 Concession Feasibility _____ / Pass/Fail *
GRAND TOTAL _____ / 100 **Points**

Comments:

Board Member: _____ 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 Anne Davigeadono at (916) 653-8939 or anne.davigeadono@parks.ca.gov. This provides the State with potential proposer contact information in the event there are changes to the RFP documents. Proposal forms will also be available at the Pre-Proposal Meeting.