
**Prospectus for Campground and
Related Granger-Thye Concessions
San Bernardino National Forest**

**U.S. DEPARTMENT OF AGRICULTURE
Forest Service**

BARTON FLATS COMPLEX

August, 2011

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I. Business Opportunity

A. Introduction

This prospectus is being issued to solicit applications for a concession campground special use permit to provide high quality public service in the operation and maintenance of government owned recreation facilities located on the Mountaintop Ranger District of the San Bernardino National Forest. The Mountaintop District is soliciting bids for three separate complexes: Arrowhead, Big Bear and Barton Flats. Each complex requires a separate application. This prospectus is for the Barton Flats Complex and will include the following sites. Please reference Appendix 1 and 2 which includes a Forest Vicinity Map and a Location Map showing the offered recreational sites. The Barton Flats Complex contains 11 sites included in this prospectus.

Barton Flats Complex

Barton Flats Family Campground	Heart Bar Equestrian Group Campground
San Gorgonio Family Campground	Council Group Campground
Heart Bar Family Campground	Skyline Group Campground
South Fork Family Campground	Coon Creek Cabin Group Campground
Wildhorse Equestrian Family Campground	
Lobo Group Campground	
Oso Group Campground	

The current permit for this concession expires on December 31, 2011. Over the past three years, this concession has generated the following gross revenues:

Gross Revenue

2008	\$374,795
2009	\$364,406
2010	\$370,370

The authorized officer for this business opportunity is the Forest Supervisor for the San Bernardino National Forest, 602 South Tippecanoe Avenue, San Bernardino, CA 92408.

B. Area Description

The Mountaintop Ranger District of the San Bernardino National Forest is located in southern California, adjacent to large urban areas. The Forest offers many recreation opportunities including hiking, biking, off-road use, fishing, camping, horseback riding and winter sports. The Pacific Crest National Scenic Byway runs through the Forest. The mountain ranges rise steeply on the costal side facing the greater Los Angeles Basin. The desert is to the north and east and the urban areas and Pacific Ocean are to the west. The City of San Diego and the international border with Mexico is about 150 miles south. The communities of Lake Arrowhead, Big Bear and Idyllwild are within the Forest.

The recreation sites being offered in this prospectus are five (5) family campgrounds and ten (10) group campgrounds. These recreation sites are near state highways (including the Rim of the World Scenic Byway) and Forest development roads. All sites are easily accessible by vehicle and are located in mixed conifer and oak forest elevations ranging from 6,200 feet to 8,100 feet.

Most forest visitors come from Southern California.

The higher elevations of the Forest enjoy a four-season climate with average precipitation of 30 inches. Winter snow, which can be heavy, occurs above 5,000 feet. Afternoon thundershowers are common in the summer. Seasonal temperatures range from the mid-30s to low 80s F with lower temperatures in winter at the higher elevations. Humidity is relatively low year-round. Winter snows vary, arriving as early as mid November and usually persisting through March and possibly into April.

Facilities to purchase food, gas and sundry items can be found in the Angelus Oaks and Big Bear City.

C. Description of Developed Recreation Sites and Facilities

Family Campgrounds

Barton Flats

Location: State Highway 38, 7.5 miles east of Angelus Oaks

Elevation: 6,360 feet

Number of Sites: 52

Operating Season: April 1 - November 15

NRRS Reservation Period: April 15 - September 15

Current Fee Schedule:

Single Site	\$25
Double Site	\$50
Extra Vehicle	\$10
Holiday Rate Single Site	\$27
Holiday Rate Double Site	\$54

Description

The Barton Flats Campground has two host sites and 52 campsites. Each site has a table and fire ring. There are eight multiple family sites. Most sites are ADA accessible. There is a host site with sewer, water, phone, propane tank and electrical hookups. Site roads and spurs are paved. Water is provided through the Barton Flats Water System (operated by the Barton Flats Camp Association). The campground concessionaire is billed at the same rate as the camps, plus a per-gallon rate. The water source is the South Fork of the Santa Ana River. The concessionaire is responsible for water line maintenance within the campground and water quality standards as per the State of California Water Quality Standards. There are three restroom buildings with four toilets in each building. One restroom building has four showers.

Heart Bar

Location: Spur Road (1N02) off State Highway 38, 12 miles east of Angelus Oaks

Elevation: 6,880 feet

Number of Sites: 95

Operating Season: May 15 - September 30

NRRS Reservation Period: May 15 - September 15

Current Fee Schedule:

Single Site	\$20
Double Site	\$40
Extra Vehicle	\$10
Holiday Rate Single Site	\$22
Holiday Rate Double Site	\$44

Description

The Heart Bar Campground has two host sites and a total of 95 campsites. Each site has a table and fire ring. The host sites have sewer, water, propane tanks and water but no telephone or electrical hookups. Site roads and spurs are paved. The campground shares a well and distribution system with Heart Bar Group and Wildhorse Family Equestrian Campgrounds and Skyline Group Campground.

San Gorgonio

Location: State Highway 38, 7 miles east of Angelus Oaks

Elevations: 6,400 feet

Number of Sites: 54

Operating Season: May 15 – September 30

NRRS Reservation Period: May 15 - September 15

Current Fee Schedule:

Single Site	\$25
Double Site	\$50
Extra Vehicle	\$10
Holiday Rate Single Site	\$27
Holiday Rate Double Site	\$54

Description

The San Gorgonio Campground has two host sites and 53 campsites. Each site has a table and fire ring. The host site has sewer, and water but no telephone or electrical hookups. The roads and spurs are paved. Water is provided through the Barton Flats Water System (operated by the Barton Flats Camp Association). The campground concessionaire is billed at the same rate as the camps plus a per-gallon rate. The water source is the South Fork of the Santa Ana River. The concessionaire is responsible for water line maintenance within the campground and water

quality standards as per the State of California Water Quality Standards. There are three flush restrooms buildings, with each having four toilets. One building has four showers.

South Fork

Location: State Highway 38, 9 miles east of Angelus Oaks.

Elevation: 6,320 feet

Number of Sites: 24

Operating Season: May 15 – September 30

NRRS Reservation Period: No reservations. First-come, first-served only.

Current Fee Schedule:

Single Site;	\$20
Extra Vehicle	\$10
Holiday Rate Single Site	\$22

Description The campground has a host site and 24 campsites. Each site has a table and fire ring. The host site has sewer and water hookups. The site roads and spurs are paved. The campground has a well and a water tank. There are three vault toilet buildings. Each building has two toilets.

Wild Horse Equestrian Family Campground

Location: Forest Service Road 1N02 off State Highway 38, 13 miles east of Angelus Oaks.

Elevation: 6,880 feet

Number of Sites: 11

Operating Season: May 15 – September 30

NRRS Reservation Period: May 15 - September 15

Current Fee Schedule:

Single Site:	\$25
Double Site:	\$50
Extra Vehicle	\$10
Holiday Rate Single Site	\$27
Holiday Rate Double Site	\$54

Description

The Wildhorse Family Equestrian Campground has 11 campsites, a restroom building with two flush toilets and two showers, and 30 single-horse corrals. Each campsite has a table and fire ring. The host site is located in the nearby Heart Bar Equestrian Group Campground. The access road and parking spurs are not paved. The campground shares a well with Heart Bar

Family Campground, Heart Bar Equestrian Group Campground and Skyline Group Campground.

Group Campgrounds

Heart Bar Equestrian Group Campground

Location:	Forest Service Road 1N02 off Highway 38, 12 miles east of Angelus Oaks
Elevation:	6,880 feet
Operating Season:	May 15 - September 30
NRRS Reservation Period:	May 15 - September 15
Current Fee Schedule:	
Site	\$250
Holiday Fee	\$275
Maximum Capacity	
Group	65
Horse	40 (in corrals)

Description

The Heart Bar Equestrian Group Campground has a capacity of 65 persons and corrals for 40 horses. There is one large community fire ring, seven tables, one pedestal BBQ, and two pedestal serving tables. The campground has a host site with water and sewer hookups. The site roads and parking spurs are unpaved. The campground shares a well and a water distribution system with Heart Bar Family Campground, Wild Horse Family Equestrian Campground and the Skyline Group Campground. There is one flush toilet building with two showers.

Lobo Group Campground

Location:	State Highway 38, 7 miles east of Angeles Oaks.
Elevation:	6,400 feet
Operating Season:	May 1 - September 30
NRRS Reservation Period:	May 15 - September 15
Current Fee Schedule:	
Site	\$190
Holiday Fee Schedule	\$209
Maximum Capacity	75

Description

The Lobo Group Campground has a capacity of 75 campers. There are 10 picnic tables and three pedestal grills. All site roads and parking areas are unpaved. Water is provided through the Barton Flats Water System (operated by the Barton Flats Camp Association). The campground concessionaire is billed at the same rate as the camps plus a per-gallon rate. The water source is the South Fork of the Santa Ana River. There is one restroom building with four flush toilets.

Oso Group Campground

Location:	State Highway 38, 7 miles east of Angelus Oaks
Elevation:	6,400 feet
Operating Season:	May 1 - September 30
NRRS Operating Season:	May 15 - September 15
Current Fee Schedule:	
Site	\$250
Holiday Fee Schedule	\$275
Maximum Capacity	100

Description

The campground has a capacity of 100 persons. There are 18 tables and three pedestal grills. Site roads and parking areas are unpaved. Water is provided through the Barton Flats Water System (operated by the Barton Flats Camp Association). The campground concessionaire is billed at the same rate as the camps plus a per-gallon rate. The water source is the South Fork of the Santa Ana River. There is one toilet building with four flush toilets.

Skyline Group Campground

Location:	Forest Service Road off State Highway 38, 12 miles east of Angelus Oaks within Heart Bar Campground.
Elevation:	6,880 feet
Operating Season:	May 15 - September 30
NRRS Reservation Period:	May 15 - September 30
Current Fee Schedule:	
Site	\$70
Holiday Fee Schedule:	\$77
Maximum Capacity	25

Description

The campground has a capacity of 25 campers. There are four tables and one group pedestal grill. All site roads and parking areas are paved. The campground shares a well and water distribution system with Heart Bar Family Campground, Wild Horse Family Equestrian Campground and Heartbar Equestrian Group Campground. There is one vault toilet building.

Coon Creek Cabin Group Campground

Location:	Forest Service Road off State Highway 38, 19 miles east of Angelus Oaks
Elevation:	8,000 feet

Operating Season: May 15 – September 30

NRRS Reservation Period: May 15 to September 15

Current Fee Schedule:

Site	\$70
Holiday Fee	\$77
Maximum Capacity	25

Description

The campground has a capacity of 25 persons. There is one fire ring and four tables. There are two historical log cabins on site. Campers are not allowed to enter or otherwise use these cabins. The site access road and parking area are unpaved. Water is not available. There is one vault toilet building.

Council Campground

Location: State Highway 38, 6 miles east of Angelus Oaks

Elevation: 6,360 feet

Operating Season: April 1 - November 15

NRRS Reservation Period: April 1 - September 15

Current Fee Schedule:

Site	\$130
Holiday Fee	\$143
Maximum Capacity	50

Description

The campground has a capacity of 50 persons. There are eight tables and two pedestal grills. The site roads and parking areas are paved. Water is provided through the Barton Flats Water System (operated by the Barton Flats Camp Association). The campground concessionaire is billed at the same rate as the camps plus a per-gallon rate. The water source is the South Fork of the Santa Ana River. There is one restroom building with four toilets.

D. Government-Furnished Property

The Forest Service will provide certain property in conjunction with the concession campground special use permit (see Appendix 3 of the prospectus). Included in this inventory are a description, the quantity, and the estimated replacement cost of the applicable property.

E. Government-Furnished Supplies

The Forest Service will not furnish any supplies for day-to-day operation of the concession. Government-furnished supplies will be limited to those necessary for programmatic consistency, including:

- Forms to report use and revenue.

- A copy of the Forest Service publications, “Cleaning Recreation Sites,” “In-Depth Design and Maintenance Manual for Vault Toilets,” and “Vault Toilet Pumping Contract Specifications and Guidelines for Preparing Contracts.”
- Title VI signs.

F. Utilities and Waste Management

Certain utilities and infrastructure exist for the developed recreation sites identified in this prospectus. The permit holder will be responsible for securing, managing, and paying for these utilities. Applicants should contact current service providers to obtain estimated costs for the utilities. These utilities include:

- Electrical: Southern California Edison (SCE) is the service provider for electricity. The Forest Service will require the permit holder to notify SCE that the permit holder is to be listed as the user, and billed for electrical service.
- Telephone: The telephone provider for this area is Verizon. There is cell phone coverage in most areas but there are some areas where coverage is limited.
- Propane/Gas: The current propane provider is Thomas Gas of Big Bear Lake. The permit holder is responsible for propane costs related to their operations during the permit use. For safety and regulatory reasons, the permit holder is not allowed to install and /or store bulk butane or propane. There are at least two propane providers in the Big Bear area.
- Water: In the Barton Flats Complex, water is provided either by (1) Barton Flats Water Association, (2) Heart Bar Water System, or (3) South Fork Campground water system. The permit holder is required to operate and maintain the potable water systems and be in compliance with applicable federal, state, and local drinking water laws and regulations for operation and maintenance of a public water system. Testing and maintenance of all potable water systems must be in accordance with the San Bernardino Health Departments, State of California and Forest Service regulations. *Appendix 10: Form FS27004h, Special Use Permit, Appendix F*, describes the testing, documentation and notification requirements associated with operation of the water system. If current regulations change and it becomes necessary to perform more or different tests, the permit holder will be responsible for compliance. Copies of water system test reports will be provided by the Forest Service upon receipt by the concessionaire.
- Garbage: The current service provider in the Barton Flats Complex is Empire Disposal of San Bernardino. The permit holder shall provide garbage removal at all sites. Garbage bins will be animal resistant.
- Recycling: The permit holder will recycle aluminum, glass and plastic. Recycling containers must be animal resistant.

Liquid Waste Disposal: The current service provider is Connelly Pumping of Big Bear Lake. The permit holder is responsible for pumping all campground vault toilets and flush toilet septic systems. Sanitation services to pump vault toilets, holding tanks, septic tanks, and dump stations will be the responsibility of the permit holder for the term of the

permit. Snowmelt can also partially fill some units. A sewage vault is considered to need pumping when it reaches three quarters full. Some of the campgrounds are on sewer systems provided by independent utility districts. Sewer service that is provided by independent utilities is chargeable to the permit holder. The concessionaire will change all billings to the permit holder's name and will be required to pay all costs incurred from the award date of the permit. In some cases, a bill will be forwarded to the permit holder by the Forest Service in the event that the sewer permit is in the Forest Service's name. The permit holder will be responsible for all bill payments, under their permit, forwarded to the Forest Service.

II. Forest Service Concession Programs and Policies

Government-owned concessions are authorized by special use permits issued under Section 7 of the Granger-Thye (GT) Act, 16 U.S.C. 580d, and implementing regulations at 36 CFR Part 251, Subpart B.

In addition, there are certain Forest Service programs and policies that apply to campground concessions. All applications must be consistent with these requirements.

A. National Recreation Reservation Service (NRRS)

The San Bernardino National Forest participates in the NRRS, which provides nationwide, toll-free telephone reservations for single-family or group camping sites, rental cabins, and other recreational facilities. Visitors pay the camping fee at the time they make a reservation, and no fees are collected at the site (although the permit holder may allow occupancy of any site in the NRSS that is unreserved and charge on site for that use). The current NRRS contractor is ReserveAmerica, 40 South St., Ballston Spa, New York 12020. Contact information for the NRSS follows.

Karen Finlayson
Region 5 NRRS Coordinator
telephone: (530)647-5393
email: kfinlayson@fs.fed.us

John Cameron
Forest Service Contracting Officer's Technical Representative
telephone: (850) 523-8589
email: jcameron@fs.fed.us

ReserveAmerica, Inc.
2480 Meadowvale Boulevard, Suite 120
Mississauga, Ontario
Canada L5N 8M6
Inventory Help Desk: (877) 345-6777; Facsimile: (888) 742-5520
Customer Service: (888) 448-1474
email: nrrs-inventory@reserveamerica.com

The NRRS is the only authorized reservation system for Forest Service developed recreation sites, including campgrounds, cabins, and group use areas. The Forest Service contract for the NRRS prohibits campground concession permit holders from using any other reservation system, establishing their own reservation system, or reserving campsites other than through the NRRS. Applicants may recommend adding sites to or deleting sites from the NRSS or changing the number of sites that may be reserved, the minimum number of days per

reservation, or the location of sites that may be reserved. The permit holder also may make these recommendations during the term of the permit. The authorized officer will decide whether to accept or reject the recommendations.

Under the NRRS, the following guidelines must be followed, unless there are compelling operational reasons:

1. For each developed recreation site included in the NRRS, at least 60 percent of the units must be available for reservations. The rest of the units may be occupied on a first-come, first-served basis.

- Reservation windows vary by type of site and are as follows:

Individual campsites: 6 months prior to arrival date.

Group use areas: 12 months prior to arrival date.

2. When the NRRS is utilized, the permit holder is responsible for on-site administration and will be required to:

- Obtain daily arrival reports (DARs) from the NRRS contractor each morning by establishing at least one central facsimile location, email address, or other means of obtaining and distributing DARs.
- Develop a system for posting reservations at the sites so other visitors know which units are reserved.
- Post and hold reserved sites for 24 hours.
- Ensure that the party with the reservation is the party using the site.
- Resolve any disputes over the use of reserved sites by drop-in campers.
- Verify that visitors hold a Golden Age or Golden Access Passport or the America the Beautiful–National Parks and Federal Recreational Lands Pass (ATB Pass) authorized under the Federal Lands Recreation Enhancement Act (REA), 16 U.S.C. 16 U.S.C. 6801-6814, before giving the discount on fees for those passes (see section II.B).
- Develop inventory data for sites being added to the NRRS, and update data for sites currently in the NRRS (including fees charged the public and temporary site closures). Submit data to the NRRS at least annually for data updates.
- Communicate to the NRRS any emergency closures or other relevant operational changes as they occur.
- Approve customer refunds as appropriate, and process them through the NRRS. NRRS refund policies can be found at <http://www.reserveusa.com/jsp/homepage.jsp?goto=/home/policies.html>.

Because reservations can be made up to a year in advance for group sites and up to 6 months in advance for family sites, the NRSS is currently accepting reservations for the 2012 operating season. Fees received by the NRSS for reservations after December 31, 2011 will be held by the Forest Service and distributed following issuance of a special use permit to the successful applicant. In the final year of the permit, fees will be held in the same manner until a new permit is issued. The permit holder will honor reservations made prior to issuance of the permit at the price in effect when the reservations were made.

B. Pass Discounts

The permit holder must provide a 50 percent discount on recreation fees charged under REA at developed recreation sites covered by this prospectus to holders of Golden Age and Golden Access Passports, as well as holders of the Interagency Senior and Access Passes.

Specifically, holders of these passes are entitled to a 50 percent discount on the fee for a single campsite occupied by the pass holders. The pass holders are not entitled to a discount on the fee for a multiple-family campsite, cabin, or group use area or any additional campsites occupied by those accompanying the pass holders. The 50 percent campsite discount does not include utility, water, or any other hookup fees.

Any loss of fee revenue from honoring the passes should be factored into applicants' bids.

The permit holder will not be required to offer discounts on camping to holders of the Annual or Volunteer Pass.

The following is a list of campgrounds covered by this prospectus where the 50 percent discount for passes applies:

- Barton Flats
- San Gorgonio
- Heart Bar Family
- South Fork
- Wildhorse Equestrian

The concessionaire is responsible for the maintenance and operation of Jenks Lake Day Use Area during the annual summer operating season (April 15 - October 15). Visitors are charged \$5.00 per day for parking (\$20.00 for buses) for visitation of the day use area.

Description: There are 24 picnic sites at Jenks Lake, each with a table and pedestal grill. There are 72 paved parking spaces. There is one vault toilet building. There is no potable water system in place. The lake is popular for fishing and is regularly stocked with rainbow trout by the Department of Fish and Game.

Note: A Forest Service sponsored 'Fishfest' event occurs annually at Jenks Lake (usually on a Saturday in September). The restrooms, fishing pier, entire lake shore and all other facilities will be made available to 'Fishfest' participants at no charge on that day each year.

C. Camp Stamps

Camp stamps must be honored at their face value and submitted to the authorized officer for reimbursement.

D. Site Closures

The Forest Service reserves the right to close all or a portion of any area in this prospectus for repair; construction; floods, snow, extreme fire danger, or other natural events; wildlife protection; or risks to public health and safety. The Forest Service shall not be liable to the permit holder for lost revenue, operating costs, or any other losses resulting from these closures. However, for fee calculation purposes, the permit shall be placed in non-use status as provided by FSH 2709.11, section 31.23.

E. Administrative Use

If the Forest Service requires the permit holder to provide a service for the agency, the permit holder will be compensated for that use.

F. Applicable Forest Orders

Forest Orders may be issued to address a variety of management concerns on a particular forest. Sample orders related to the offering are identified in Appendix 4. Additional applicable forest orders may be issued in the future.

G. Fee Tickets and Compilation of Use and Revenue Data

The permit holder must provide fee tickets to visitors that include at least the following information:

- The site number and total amount paid.
- The date of issuance and number of days paid for.
- If a pass is used, the pass number.
- The number of people in the group.
- The number of vehicles and their license plate numbers.

The permit holder must provide use and revenue data to the Forest Service (see Appendix 5 of the prospectus for a sample use report). Use reports must be completed monthly and at the end of the operating season for each developed recreation site, provided that when the holder performs GT fee offset work in lieu of paying the land use fee in cash, use reports may be submitted quarterly, rather than monthly. At a minimum, monthly and year-end use reports must include:

- The total number of units occupied based on daily counts.
- The total number of people based on daily counts.
- The percentage of occupancy by month.
- Total recreation fee revenue.
- Total fee revenue for other goods and services.
- The total number of Camp Stamps collected.
- The total number of passes used.

In addition, year-end use reports must include:

- Total fee revenue collected under the NRRS.
- Total taxes paid.
- Total gross revenue.
- Total net revenue.

H. Customer Service Comment Cards

The permit holder must provide a customer service comment card to visitors at each developed recreation site (see Appendix 6 of the prospectus).

I. Performance Evaluations

At a minimum, the Forest Service will perform a year-end performance evaluation within four months of the close of the operating season (see Appendix 7 of the prospectus). An unsatisfactory rating may be cause for suspension or revocation of the special use permit. Sustained satisfactory performance is required for a permit extension.

J. Accessibility

The Architectural Barriers Act of 1968 (ABA) and Section 504 of the Rehabilitation Act of 1973 require new or altered facilities to be accessible, with few exceptions. In 2004, the Architectural and Transportation Barriers Compliance Board (Access Board) issued revised accessibility guidelines for buildings and facilities subject to the ABA and the Americans with Disabilities Act (ADA). These new guidelines are called the ADA/ABA Accessibility Guidelines. In 2006, the Forest Service issued the Forest Service Outdoor Recreation Accessibility Guidelines (FSORAG). The FSORAG addresses types of recreational facilities, including developed recreation sites, that are not covered by ADA/ABA Accessibility Guidelines.

Any Government maintenance, reconditioning, renovation, or improvement (see section III.C) must meet ADA/ABA Accessibility Guidelines, where applicable, as well as the FSORAG.

The FSORAG and the ADA/ABA Accessibility Guidelines are posted on the Forest Service's website at <http://www.fs.fed.us/recreation/programs/accessibility>. Questions regarding ADA/ABA Accessibility Guidelines may be referred to the Access Board at www.access-board.gov. Questions regarding the FSORAG may be referred to the accessibility coordinator for the local National Forest.

The permit holder is responsible for ensuring effective communication with visitors with disabilities, including persons with impaired vision or hearing, so that all visitors may obtain information on accessible services, activities, and facilities.

K. Camping Unit Capacity

Number of People and Vehicles per Camping Unit

Family campgrounds are limited to eight people (for a single site) and sixteen people (for a double site).

A single-family camping unit may accommodate one vehicle. A "vehicle" is defined as any motorized conveyance, except that for purposes of vehicular capacity, two motorcycles are considered one vehicle. Additional vehicles may be allowed at a camping unit, if the camping unit can safely accommodate them. When extra vehicles are allowed, an extra fee of up to 50 percent of the camping unit fee may be charged for each extra vehicle. If an extra vehicle exceeds the camping unit capacity (i.e., the extra vehicle causes a safety hazard or resource damage), the customer may be required to pay for an additional camping unit or park in an overflow parking area, if available. One towed vehicle per single camping unit will be allowed for no extra charge if it can be parked completely on the surfaced area and does not create a safety hazard. Examples of towed vehicles include a boat trailer or a car towed by a motor home.

Group Site Capacity

See the group site capacities in the Recreation Site Descriptions section.

L. Stay Limit

Campers at overnight sites will be limited to a 14 day stay limit during any consecutive 30 day period.

M. Fees Charged to the Public

The permit holder may charge the public fees only to the extent that the Forest Service can charge recreation fees under REA. All recreation fees must be specified per developed recreation site. The holder must honor the proposed pricing through the first full operating season. Thereafter, the holder may propose price adjustments with justification.

Permit holders may not charge for any of the following:

- Solely for parking, undesignated parking, or picnicking along roads or trailsides.
- General access, unless specifically authorized by REA.
- Dispersed areas with low or no investment, unless specifically authorized by REA.
- Persons who are driving through, walking through, boating through, horseback riding through, or hiking through NFS lands without using the recreational facilities and services for which a fee is charged.
- Camping at undeveloped sites that do not provide the minimum number of facilities and services prescribed by REA.
- Use of overlooks or scenic pullouts.
- Travel by private, noncommercial vehicle over any national parkway or any road or highway in the Federal-aid System that is commonly used by the public as a means of travel between two places, either or both of which are outside an area in which recreation fees are charged.
- Travel by private, noncommercial vehicle, boat, or aircraft over any road, highway, waterway, or airway to any land in which the person traveling has a property right, if the land is in an area in which recreation fees are charged.
- Any person who has a right of access for hunting or fishing privileges under a specific provision of law or treaty.
- Any person who is engaged in the conduct of official federal, state, tribal, or local government business.
- Special attention or extra services necessary to meet the needs of the disabled.

N. Law Enforcement

Forest Service Manual (FSM) 2342.1, Exhibit 01, addresses the law enforcement authorities and responsibilities of concessionaires, state and local law enforcement agencies, and the Forest Service at concession campgrounds. See Appendix 8 of the prospectus.

O. Other Pertinent Information

Campfire / Interpretive Programs

The permit holder is required to provide Campfire / Interpretive Programs at the Grayback Amphitheatre on Friday and Saturday evenings throughout the high use season (Memorial Day through Labor Day). The programs for the coming season will be approved by the Forest Service in advance. For the past several years, the Concessionaire has contracted with the non-profit San Gorgonio Wilderness Association to provide this programming.

Grayback Amphitheatre

The permit holder is responsible for the maintenance and upkeep of Grayback Amphitheater, which includes providing one rental toilet during the summer operating season (April 15 - October 15). Grayback Amphitheatre is used for campfire programs, primarily for patrons from the nearby campgrounds, and occasional events such as weddings. The Mill Creek Work Center will maintain a calendar of events for the amphitheatre.

Communication

The permit holder is required to provide a means of communication between all employees, the Forest Service and the National Recreation Reservation Service, and law enforcement agencies. Applicants should describe how they will ensure complete, timely, and accurate communication between all affected interests.

Employee Housing

Accommodations for overnight use by personnel are limited to the designated employee sites approved by the Forest Service. Campsites utilized by concession personnel should present an orderly "camping" image to the general public, without taking on the appearance of "long term residences". Personal and work vehicles must be kept on the parking spur. Additional vehicles and supplies may need to be stored off site if there is insufficient space at the employee site. Employee sites are subject to the authorized officer's approval. Firewood for personal use may not exceed a quarter cord without a firewood gathering permit.

Use of Fee Sites by Non-fee Guests

The permit holder may charge a fee for day use of fee sites if that use does not interfere with the primary overnight use opportunity.

A fee may be charged for the showers at Barton Flats and San Gorgonio Campgrounds for persons who are not camped at those sites.

A fee may be charged for use of the RV dump station at Barton Flats Campground.

Herbicides, Pesticides and Noxious Weeds

Herbicides and pesticides may not be used to control undesirable vegetation, aquatic plants, insects, rodents, trash fish and other pests and weeds, without prior written approval from the Forest Service. A request for approval of planned uses of pesticides shall be submitted annually by the permit holder on the due date established by the authorized Forest Service Officer. Any request for use shall cover a 12 month period of planned use, beginning 3 months after the reporting date. Only those materials registered by the U.S. Environmental Protection Agency (EPA) for the specific purpose planned shall be considered for use on National Forest System

lands (refer to FS-2700-4e,V.D.).

Emergency Response

The permit holder must be prepared to respond to emergencies that might occur in and around the facilities covered under the permit. Applicants should describe how they will be prepared to respond to such emergency situations.

Resource Concerns

Site Protection, Erosion Control, Wind Damage, and Fire Prevention

The permit holder has an affirmative duty to protect from damage the land, property, and other interests of the United States. Examples include, but are not limited to, fire suppression, erosion, and wind damage to the environment and to Government owned improvements covered by this permit, damage, or contamination to the environment, and/or damage to roads and trails (Reference Appendix 10: Sample Special Use Permit, Form FS24004h, Clauses II.G, III.E, III.F, III.G, and V.A1).

Endangered Species

The permit holder will be required to work with the Forest Service to inform campground users about endangered species and the protection of its habitat.

Condition of Trees

The pine stands within the campgrounds range from 6 to 60 DBH, with the majority of pines ranging in the 20 to 30 DBH range. Two predominant species are pine and fir with scattered oak, especially at the lower elevations. During the past few years, some of the trees have experienced some damage due to bark beetle infestations. Trees that look healthy on the exterior may contain rotten cores and can drop a heavy limb without warning.

Butane and Propane Installations

For safety and regulatory reasons, the permit holder is not allowed to install and /or store bulk butane or propane. The annual operating plan and special use permit will describe how small amounts (for facilities and individual host use) of these materials must be stored including but not limited to the volume, type of storage, and spill containment plan (Reference Appendix 10: Form FS24004h, Sample Special Use Permit Clauses V.A, G and H).

Water Faucet Connections

Faucets will not be connected to RV's, except at Permit holders housing sites. Any hookups made will have a Forest Service approved anti-siphon device in place at all times. Public hookups will not be permitted except at designated RV fill up stations.

Protection of Historic Properties

The permit holder has responsibilities under the National Historic Preservation Act of 1966 (NHPA). Prior to any activity with the potential to affect National Register Properties designated or eligible National Register sites which are found in the campgrounds, the permit holder must notify the Forest Service of their intentions and obtain Forest Service approval prior to any ground disturbance. Depending on the actions proposed and the sites involved, the review process can take up to several months. For such recurring activities as replacing barrier posts, agreements will be worked out with the permit holder and will be included in the Annual Operating Plan.

Environmental Reviews

The facilities offered in this prospectus are located within the area managed according to the San Bernardino National Forest Land and Resource Management Plan. Special procedures are required to assess the effect of proposed recreation site management activities, including all types of vegetation management and surface disturbing activities, on a range of sensitive species and survey and manage species. The concessionaire must coordinate closely with the Forest Service prior to beginning vegetation management activities and/or work requiring surface disturbance.

Hazard Tree Removal

The permit holder will have to conduct pre-season inspection of the campgrounds to identify existing and potential hazards, including hazard trees. The permit holder also will be responsible for monitoring and identifying hazard trees during the operating season. After securing written approval from the authorized officer, the permit holder's financial responsibility for removing hazard trees and associated slash will not exceed \$3,700 per year. The annual operating plan will address appropriate disposal of hazard trees and slash.

III. Special Use Permit

In exercising the rights and privileges granted by the special use permit, the permit holder must comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

A. Permit Term

The permit term will be for up to five (5) years, with an option to extend the term for up to an additional five (5) years at the sole discretion of the authorized officer. The decision to extend the term will depend, in part, on sustained satisfactory performance of the permit holder. Upon expiration of the permit, continuation of the permitted activity will be at the sole discretion of the authorized officer and will be subject to a competitive offering. A new prospectus will be issued during the final year of the permit term.

If the decision to select a permit holder is appealed, a permit will not be issued until the appeal has been resolved, unless operation is needed during the appeal, in which case a permit with a term of one year or less may be issued.

B. Permit Holder Responsibilities

This section highlights the requirements of the special use permit, which is contained in Appendix 10 of the prospectus. Applicants are responsible for familiarizing themselves with all permit requirements that govern the operation covered by this prospectus.

Responsibility for Day-to-Day Activities

As a general rule, the holder will be required to conduct the day-to-day activities authorized by the permit. Some, but not all, of these activities may be conducted by someone other than the

permit holder, but only with the prior written approval of the authorized officer. The permit holder will continue to be responsible for compliance with all the terms of the permit.

Permit Holder-Furnished Supplies and Equipment

The permit holder will be required to provide all vehicles, equipment, and supplies necessary to operate the authorized developed recreation sites in accordance with the special use permit.

Holder-Furnished Vehicles

The permit holder may not use all-terrain vehicles, motorcycles, or motorbicycles in the campgrounds. The holder may propose use of golf carts or other similar vehicles to facilitate daily maintenance of the facilities. If authorized, carts must stay on designated roads or trails while driving between sites or loops.

Holder Maintenance, Reconditioning, or Renovation (MRR)

Maintenance, reconditioning, and renovation are defined in the permit (FS-2700-4h, clause IV.E.1(a), (c)). Holder MRR is defined as maintenance, reconditioning, or renovation that neither materially adds to the value of the property nor appreciably prolongs its life. The work serves only to keep the facility in an ordinary, efficient operating condition. From an accounting or tax perspective, it is work that may be expensed, but not capitalized. In fulfilling these responsibilities, the holder must obtain any licenses and certified inspections required by regulatory agencies and follow state and local laws, regulations, and ordinances and industry standards or codes applicable to the permitted operation (FS-2700-4h, clause IV.E.1(d)). The permit holder, at its expense, will be required to perform holder MRR under a holder MRR plan (FS-2700-4h, clause II.D). The holder MRR plan will describe required holder MRR and its frequency. The holder MRR plan will become part of the permit holder's annual operating plan.

C. Granger-Thye Fee Offset Agreement

The federal government owns all the improvements at the developed recreation sites covered by this prospectus. Under Section 7 of the Granger-Thye (GT) Act and the terms of the permit, the permit fee may be offset in whole or in part by the value of Government maintenance, reconditioning, renovation, and improvement (MRRI) performed at the permit holder's expense. Government MRRI is defined as maintenance, reconditioning, renovation, or improvement that arrests deterioration, improves and upgrades facilities, and appreciably prolongs the life of the property. Government maintenance, reconditioning, renovation or improvement, whether performed by the holder or the Forest Service, shall be performed at the sole discretion of the authorized officer. See Appendix 10 of the prospectus and FS-2700-4h, clause IV.E.

All Government MRRI shall be enumerated in an annual GT fee offset agreement signed by the holder and the Forest Service in advance of the operating season (see Appendix 11 of the prospectus and FS-2700-4h, Appendix B). Alternatively, a multi-year fee GT fee offset agreement can be prepared for consolidated fee payments. A list of sample Government MRRI projects is included in Appendix 18 of the prospectus.

Either the holder or the Forest Service may perform GT fee offset work. This determination will be made annually. When the holder performs GT fee offset work, if it includes construction that costs more than \$2,000, it is subject to the Davis-Bacon Act and the fee offset agreement must contain Davis-Bacon Act wage provisions. Additionally, indirect costs may be offset provided the holder submits either a currently approved indirect cost rate or accounting procedures and supporting documentation to determine an indirect cost rate (see Appendix 12 of the prospectus).

The holder's claims for GT fee offset must be documented using the FS-2700-4h, Appendix G, Granger-Thye Fee Offset Certification Form (see Appendix 13 of the prospectus). This form requires the holder to itemize allowable costs incurred for an approved GT fee offset project and to certify the accuracy and completeness of claims.

When the Forest Service performs GT fee offset work, the holder will deposit fee payments into a CWFS account. The Forest Service will perform GT fee offset work under a collection agreement and offset those costs against the permit holder's annual permit fee (see FS-2700-4h, clause IV.E.3, and Appendix 14 of the prospectus). The Forest Service's indirect costs may be offset at the agency's approved rate. The Forest Service and the holder will agree on the work to be performed in advance of each operating season.

D. Insurance

Liability Insurance

The successful applicant must have liability insurance covering losses associated with the use and occupancy authorized by the permit arising from personal injury or death and third-party property damage in the minimum amount of \$100,000 for injury or death to one person per occurrence; \$300,000 for injury or death to more than one person per occurrence; and \$25,000 for third-party property damage per occurrence, or in the minimum amount of \$300,000 as a combined single limit per occurrence. Insurance policies must name the United States as an additional insured (see Appendix 10 of the prospectus and FS-2400-4h, clause III.I).

Property Insurance

Property insurance will be required in the amount of \$1,000,000 for functional replacement of the insured property (see Appendix 3, Inventory of Government-Furnished Property).

IV. Application

A. Instructions for Submitting Applications

Applicants must submit a written application for all developed recreation sites offered in this prospectus.

Applicants are strongly encouraged to visit the sites at least once before submitting an application (see Appendices 1 and 2, vicinity and area maps and maps of developed recreation sites).

The information in this prospectus is from generally reliable sources, but no warranty is made as to its accuracy. Each applicant is expected to make an independent assessment of the business opportunity offered in this prospectus.

All applications must be submitted to Jody Noiron, Forest Supervisor, San Bernardino National Forest, 602 South Tippecanoe Avenue, San Bernardino, CA 92408. Applications must be received by close of business (4:30 p.m.) on November 10, 2011.

Applicants must submit six copies of their application package and supporting documents.

Please ensure that all requested information is submitted. Missing or incomplete information will result in a lower rating for the corresponding evaluation criteria.

Applications must be signed. The person signing for an entity must have authority to sign for that entity. Applicants must include their address, telephone number, facsimile number, and email address.

Corporations also must include:

- Evidence of incorporation and good standing.
- If reasonably obtainable, the name and address of each shareholder owning 3 percent or more of the corporation's shares and the number and percentage of any class of voting shares that each shareholder is authorized to vote.
- The name and address of each affiliate of the corporation.
- If an affiliate is controlled by the corporation, the number of shares and the percentage of any class of voting stock of the affiliate owned, directly or indirectly, by the corporation.
- If an affiliate controls the corporation, the number of shares and the percentage of any class of voting stock of the corporation owned, directly or indirectly, by the affiliate.

Partnerships, limited liability companies (LLCs), associations, or other unincorporated entities must submit a certified copy of the partnership agreement or other documentation establishing the entity or a certificate of good standing under the laws of the state where the entity is located.

Applicants should contact Mountaintop District Recreation Officer Paul Bennett at (909) 382-2819 or e-mail at pwbennett@fs.fed.us regarding any questions related to this prospectus.

B. General Terms, Qualifications, and Reservations

All applicants have an equal opportunity to apply. Except for members of Congress, Resident Commissioners, and current Forest Service employees, any individual or entity may apply.

The Forest Service does not guarantee a profitable operation. Rather, applicants are responsible for reviewing the prospectus and making their own determination concerning business viability.

The Forest Service will select the application that offers the best value to the Government. The Forest Service reserves the right to select the successful applicant based on a trade-off between the fee to the Government and technical merit.

The Forest Service is not obligated to accept the application with the highest return to the Government.

The Forest Service reserves the right to select the successful applicant based solely on the initial application, without oral or written discussions.

The Forest Service reserves the right to reject any or all applications and to rescind the prospectus at any time before a special use permit is issued.

Any oral statement made by a representative of the Forest Service shall not modify the requirements of this prospectus. If it is determined that an error or omission has been made or additional information is required, a written amendment will be sent to each person or entity receiving a copy of this prospectus.

If there is a conflict between the terms of the prospectus and the special use permit, the terms of the permit will control.

The Forest Service is proposing a revision to FSM 2344.3 to address how passes and passports are honored in the concession program. The agency reserves the right to amend the special use permit consistent with any change to that directive. In addition, the Forest Service reserves the right to amend the special use permit, in order to make it consistent with applicable laws and regulations, including REA; other Forest Service directives; or other management decisions.

The information contained in applications will be kept confidential to the extent permitted under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a).

C. Application Package Requirements

Applications must be in writing and must include or address the following:

- A proposed annual operating plan (including required and optional services).
- A business plan, business experience, references, and Small Business Development Center (SBDC) review fee, if applicable (see section IV.C.2).
- Financial resources.
- Fees charged to the public.
- Fee to the government.
- Initial processing fee.

1. Proposed Annual Operating Plan (Including Required and Optional Services)

Applicants must submit a proposed annual operating plan that addresses all required and optional services. Applicants must utilize the sample annual operating plan (see Appendix 9 of the prospectus) to organize their response to this section. The successful applicant's proposed operating plan will be attached to and become a part of the special use permit.

Applicants must specify whether another party will assist with any of the operational aspects of the concession, and if so, must include the other party's name, address, telephone number, email address, and relevant experience.

Below are highlights of what needs to be addressed in the proposed annual operating plan. For more detail, see the sample annual operating plan in Appendix 9 of the prospectus.

Operating Season

Applicants need to propose the period in which they will operate the sites listed in the prospectus. All sites must be open and operational seven days per week during the minimum operating season, unless a Forest Service closure order is in effect.

Staffing

Applicants must address appropriate staffing to meet customer service and cleanliness standards. The holder will be responsible for furnishing all personnel for the developed recreation sites and for adequately training and supervising their activities under the terms of the permit. The holder must meet requirements of federal and state laws governing employment, wages, and worker safety. Based on past experience, recommended staffing is outlined in Appendix 9 of the prospectus. Applicants should address worker hours and schedules. Applicants also should address staff training for effective customer service, conflict

resolution, area-specific emergency procedures, and dissemination of recreation and tourism information.

Supervision and Management

Applicants must designate an individual to serve as the agent of the holder for purposes of administration of the permit by the Forest Service. The designated agent must periodically review attendant performance on site and must be available to resolve repair needs within 24 hours of discovery or notification. The holder will be responsible for the conduct of its employees, including preventing conduct prohibited by 36 CFR part 261, Subpart A, and ensuring that employees are not under the influence of intoxicating beverages or narcotic drugs while on duty or representing the holder. Applicants also must include a policy for removing employees who engage in inappropriate conduct.

Uniforms and Vehicle Identification

Applicants should describe employee uniforms, insignia, name tags, and the applicants' policy for ensuring a clean, professional appearance by staff while on duty. The holder's employees may not wear any component of the Forest Service uniform. Additionally, applicants should address their policy for vehicle maintenance and appearance; types of vehicles to be used for operations (vehicles may not be driven off designated roads or trails); and signage to identify the concessionaire to the public.

2. Business Plan, Business Experience, and References

Applicants must submit a business plan utilizing the format in Appendix 15 of the prospectus. This part of the application package must be a separate document. The business plan provides a thorough analysis of an applicant's vision of the proposed business. A good business plan is essential for running a successful business, maintaining and improving the business, and raising needed capital.

Applicants must furnish a detailed description of their experience relating to operating and maintaining developed recreation sites (e.g., campgrounds, beaches, and marinas). The description must include experience in private business, public service, or any nonprofit or other related enterprises. Applicants are encouraged to contact their local Small Business Development Center (SBDC) if they need assistance in completing their business plans. Alternatively, applicants who have already received a review of their business plan from an SBDC or the Forest Service for the current fiscal year may submit a copy of the review report.

SBDC Review

All business plans will be independently reviewed by an SBDC. Applicants are required to submit three (3) copies of their business plan. If an applicant's current fiscal year business plan has already been reviewed by an SBDC, the applicant may submit a copy of the review report.

Along with a business plan, applicants also must submit a bank draft, money order, or cashier's check in the amount of \$250.00 made payable to the SBDC. Applicants submitting a current fiscal year review report by the Forest Service or an SBDC need not enclose payment.

Contact Information for the Small Business Development Center: Panda Morgan, (916-563-3220).

Performance Evaluations

Applicants who have experience in managing Forest Service or other Government concessions must provide copies of the most recent annual written performance evaluations for each Forest Service or other concession the applicants have operated or are operating.

References

Applicants also must furnish three business references with names, addresses, telephone numbers, and email addresses in support of relevant business experience. These references will be contacted for information regarding applicants' past performance. In addition, the Forest Service may consider past performance information from other sources.

3. Financial Resources

Applicants must submit a complete set of all financial statements for the last three fiscal years that have been audited, reviewed, or compiled by a certified public accountant (CPA). For any financial statements that were only compiled by a CPA, applicants must complete FS-6500-24, Financial Statement (see Appendix 16 of the prospectus) for certification of the accuracy of the financial statements.

Applicants must complete FS-6500-24 for any of the last three fiscal years they were in business for which a financial statement was not audited, reviewed, or compiled by a CPA. An applicant who has had a financial ability determination (FAD) conducted within the past year should include a statement to that effect along with the forest name, contact name and telephone number. Additionally, applicants must identify any pending applications or new permits obtained from the Forest Service since the FAD was completed.

In completing FS-6500-24, LLCs must list the name of the company in block 1, the names and interests of the principals in block 5, and their members should be listed in block 6. In addition, LLCs must complete the certification in Part (D)(1) of FS-6500-24.

An applicant who has not been in business for the last three fiscal years, and therefore cannot submit audited, reviewed, or compiled financial statements or an FS-6500-24, must submit three fiscal years of projected financial statements compiled by a CPA using the forecast method.

Any financial information submitted by applicants must conform to generally accepted accounting principles (GAAP) or other comprehensive bases of accounting. Any previously prepared financial documents that are submitted must be unredacted and in their original form, including footnotes.

Applicants must show at least 25 percent of the first year's operating costs in liquid assets. Liquid assets are assets that are readily converted into cash.

Applicants also must complete blocks 1 through 5 of form FS-6500-25, Request for Verification (see Appendix 17 of the prospectus) and submit the signed and dated form with the application. The Forest Service will forward the FS-6500-25 for the most qualified applicant to the Albuquerque Service Center for processing. The auditor assigned to conduct the FAD will send a copy to each financial institution with which the applicant does business. The financial institutions must complete blocks 6 through 15 of the form and mail the completed form to USDA Forest Service, Albuquerque Service Center.

4. Fees Charged to the Public

Applicants must provide a list of all fees they propose to charge to the public for the first three years of operation, including fees for required and optional services (see Appendix 9, Sample Annual Operating Plan, for a list of required and optional services). Discuss any variable pricing, discounts, and passes. All proposed fees to be charged to the public must be included in the business plan as an income item.

The Forest Service reserves the right to regulate the rates charged to the public.

5. Fee to the Government

The Government is obligated to obtain fair market value for the use of its land and improvements. The minimum fee is \$13,018.97 per year. The minimum fee is the concession's average gross revenue for the past three years multiplied by the current 30-year Treasury bond rate. The minimum fee will be adjusted at the end of the first five years of the permit term if the permit is extended for five years.

Minimum Fee Calculation

<u>Year</u>	<u>Gross Revenue</u>
2008.....	\$374,795
2009.....	\$364,406
2010.....	\$370,370
Total	\$1,109,571

Total gross revenue ÷ 3 = average gross revenue

$\$1,109,571 \div 3 = \$369,857$

Average gross revenue multiplied by the current 30-year Treasury bond rate = the minimum annual fee. Current Treasury bond rate is 3.52 percent.

$\$369,857 \times 0.0352 = \$13,018.97$ minimum annual fee.

Applicants may propose a fee below the minimum, provided they can document why this amount represents fair market value. However, the Forest Service may reject the proposed fee if the agency determines that it does not reflect fair market value.

Applicants must propose the fee to the Government as a percentage of the concession's adjusted gross revenue. One percentage may be proposed for the entire permit term, or the percentage may vary each year. However, if a consolidated fee payment will be proposed, one percentage rate must be proposed for the entire period of consolidated payments.

The proposed fee to the Government also must be included in the business plan as an expense item in the cash flow projections.

The fee to the Government may be offset in whole or in part by the value of Government MRRI, performed at the permit holder's expense in accordance with a GT fee offset agreement (see section III of the prospectus).

6. Application Fee

Cost Recovery

Applications submitted in response to this prospectus are subject to cost recovery pursuant to 36 CFR 251.58(c)(1)(ii) and (c)(3)(iii). Applicants must submit a processing fee of \$200.00 to cover the cost of the prospectus and review of the application. Payments due the United States for this application must be paid in the form of a bank draft, money order, or cashier's check payable to the USDA-Forest Service. Payments will be credited on the date received by the designated Forest Service collection officer or deposit location. Additionally, the selected applicant will be responsible for the costs of preparing and issuing the permit and conducting a FAD, unless the Forest Service has conducted a FAD for the applicant within the past year. If a FAD has been completed for the applicant within the last 12 months, the applicant will be responsible for the cost of adjusting it to reflect any change this selection will have on the applicant's financial ability.

D. Evaluation of Applications

A Forest Service evaluation panel will evaluate each application utilizing the non-fixed weight method.

The following evaluation criteria are listed in descending order of importance:

- Proposed annual operating plan (including required and optional services).
- Business plan, business experience, and references.
- Financial resources.
- Fees charged to the public.
- Fee to the Government.

The Forest Service will consider only the applicant's written application package and any past performance information obtained by the Forest Service. During the evaluation process, the evaluation panel may contact any references, including all federal, state, and local entities that have had a business relationship with the applicant. The evaluation panel also may consider past performance information from other sources.

The evaluation panel will make a recommendation to the authorized officer as to which applicant offers the best value to the Government. The authorized officer will make the selection decision. All applicants will be notified of the successful applicant via certified mail.

The Forest Service will conduct a FAD on the selected applicant as a prerequisite to issuing a special use permit, unless the agency has a current fiscal year FAD conducted by the Albuquerque Service Center or SBDC for another Forest Service unit.

The Forest Service reserves the right to reject any and all applications.

The Forest Service reserves the right to rescind the prospectus at any time before a special use permit is issued. If the Forest Service rescinds the prospectus, application fees will be returned.

V. Post-Selection Requirements

Once an applicant has been selected, the following information must be submitted and approved by the Forest Service prior to issuance of a special use permit:

- A final annual operating plan containing all the items included in the annual operating plan submitted in response to the prospectus.
- An annual GT fee offset agreement.
- Documentation of required liability insurance and, if applicable, property insurance.
- Documentation of bonding, if applicable.
- Required deposits and advance payments (see Appendix 10 of the prospectus and FS-2700-4h, clause IV.C.1).
- Documentation that utility services have been obtained in the name of the selected applicant.
- A state business license and any other required federal, state, or local certifications or licenses.

The successful applicant will be required to submit all these items within 30 days of the date of the selection letter. If these requirements are not met within the 30-day period, a special use permit will not be issued. The applicant who receives the next-highest rating may then be selected for the special use permit, subject to the same requirements.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.