

Business Opportunity

Food and Beverage Service

at

Herring Cove Snack Bar

Cape Cod National Seashore

National Park Service

Department of the Interior

Concessioner Contract No. CC-CACO004-26

TABLE OF CONTENTS

INTRODUCTION	3
Site Visit	3
Notification of Intent to Propose	4
Information Regarding This Solicitation	4
Proposals.....	5
Doing Business with the National Park Service	6
The National Park Service and its Mission.....	7
ORIENTATION TO CAPE COD NATIONAL SEASHORE AND HERRING COVE SNACK BAR.....	7
CONCESSION OPPORTUNITY	10
Overview	10
Draft Contract Term	10
Required and Authorized Services	10
Overview of Required Services.....	11
Estimated Revenue and Expense Projections	11
INVESTMENT ANALYSIS.....	12
Initial Investment	12
Ongoing Financial and Operational Requirements.....	13
HISTORICAL CONCESSION DATA.....	13
LINKS TO ADDITIONAL INFORMATION	13
PREFERRED OFFEROR DETERMINATION.....	13

Note: Unless otherwise stated, the Service provided all images and data tables contained in this document.

Introduction

Summary of Terms and Conditions of the Opportunity

Location: Herring Cove Beach, Provincetown, MA

Type: Category 2

Draft Contract Term: Ten (10) Years

Projected Effective Date: January 1, 2026

Required Services: Food and Beverage

Authorized Services: Alcoholic Beverage Sales, Convenience Item Sales

**First Year of Operations (2026),
Projected Gross Receipts:** \$214,198

Estimated Initial Investment (Year 0): \$101,000

Minimum Franchise Fee: 5.0% of Gross Receipts

Site Visit

The National Park Service ("Service") will host a site visit for organizations interested in bidding on this opportunity on the date listed on the Prospectus Inside Cover. The site visit provides interested organizations an overview of the concession operation along with a tour of the facilities assigned to the Concessioner under the Draft Contract. Each interested Offeror is limited to five persons attending the site visit, and all attendees must be eighteen years of age or older.

Please use the contact information listed for submitting an intent to attend the site visit to ask any questions about the site visit as well as to register to attend. You must register your intent to attend no later than the date and time listed on the Prospectus Inside Cover. If you plan to attend the site visit and would like more information, please contact:

Kathleen Trudeau
Concessions Management Specialist
Cape Cod National Seashore
Phone: (508) 957-0706
Email: Kathleen_Trudeau@nps.gov

Please register for the site visit by contacting no later than the date listed on the Prospectus Inside Cover.



When registering, you must provide:

- Your name,
- The name of the organization interested in bidding that you represent,
- The primary contact for the organization, and
- The number of people in your party.

All parties attending the site visit must disclose to the Service the names of the interested organizations engaging their services. The Service will provide further information and additional directions by return email message to the primary contact.

Notification of Intent to Propose

If you plan to submit a proposal in response to this solicitation, you must notify Concessions Specialist Sarah Newhouse O'Day via email at NER_Concessions@nps.gov no later than the date and time listed on the Prospectus Inside Cover. The Service will not accept proposals from entities that do not provide notice on or before the deadline. Your email notification must include the name of the Offeror as it will be provided in the Offeror's Transmittal Letter or the name of the individual or entity who will sign the proposal on behalf of the offeror.

Information Regarding This Solicitation

In this Prospectus the Service refers to Cape Cod National Seashore as "the Park."

This Prospectus includes Service estimates of revenue and expenses to assist Offerors in developing financial projections. These estimates reflect Service assumptions based on planning decisions, historical concession operating data, industry standards, economic conditions, and comparable and competitive operations. The Service does not guarantee these projections will materialize and assumes no liability for their accuracy. Offerors must compile and present their own financial projections based on independent assumptions, due diligence, and industry knowledge.

Offerors must review all sections of this Prospectus especially the terms and conditions of the Draft Concession Contract No. CC-CACO004-26 ("Draft Contract"), including its exhibits, to determine the full scope of the future Concessioner's responsibilities. In the event of any inconsistency between the description of the terms contained in this Prospectus and the Draft Contract itself, the terms of the Draft Contract will control.

Certain federal laws apply to this solicitation, including the National Park Service Concessions Management Improvement Act of 1998 (Title IV, Public Law 105-391 and hereafter referred to as "the 1998 Act"), as implemented by regulations in 36 C.F.R. Part 51. Links to these authorities are available online at the [NPS Commercial Services](#) website. In the event of any inconsistency between the terms of this Prospectus and 36 C.F.R. Part 51, 36 C.F.R. Part 51 will control. Part 51 is available at the Government Printing Office's [Electronic Code of Federal Regulations website](#). Additionally, the Federal Register document with the citation [88 FR 90098](#) pertains to Commercial Visitor Services; Concession Contracts. This rule, effective starting January 29, 2024, revises regulations governing the solicitation, award, and administration of concession contracts for commercial visitor services at National Park System units.

"Concessioner" refers to the entity that will be the concessioner under the Draft Contract.

"Former Concessioner" refers to Far Land on the Beach, LLC, the concessioner under Concession Contract CC- CACO004-16. The Former Contract was issued as effective January 1, 2016 through December 31, 2025. The Former Contract was terminated one year early on December 31, 2024, at the request of the Former Concessioner.

The Service intends to award the Draft Contract around January 1, 2026, or around seven (7) months prior to the anticipated effective date when the Concessioner would commence operations



on or around Memorial Day, 2026. Award of a concession contract does not occur until the competitive process has been completed and both the selected Offeror and the Service have signed the concession contract. While the Service will make every effort to meet this schedule, it is subject to change.

Proposals

Part II of this Prospectus contains instructions about completing proposals. The Service will only accept digital versions of proposals received in response to this Solicitation submitted electronically per instructions, except for the submission of the optional hardcopy version of "Offeror's Transmittal Letter," which the Offeror must send as an original hardcopy with wet signature. Offerors must carefully read and comply with instructions provided in Parts II and III of the Prospectus.

Part III of this Prospectus contains the Proposal Package that Offerors must complete in its entirety. The Proposal Package contains a required transmittal letter, five principal selection factors and two secondary selection factors. Each selection factor identifies the minimum and maximum points the Service may award depending on the quality of the response. The following paraphrases the information sought under each selection factor. The wording of the actual selection factors in the Proposal Package controls.

Principal Selection Factor 1 requires Offerors to describe how they will protect the resources of the Park, specifically how the Concessioner will manage its operations, maintenance in a manner that preserves and protects park facilities and resources.

Principal Selection Factor 2 requires Offerors to describe how they will provide some aspects of the required services, specifically improvements to the food and beverage operations.

In response to Principal Selection Factor 3, Offerors must describe their organizational structure and provide documentation to help the Service understand the Offeror and its relationship to other entities. The Service does not score this organizational structure information specifically but may use it to understand responses elsewhere in a proposal. Incomplete submissions may lead to a lower score elsewhere if the information submitted does not support claims made in response to specific subfactors in this and other selection factors. The Service provides forms. Offerors must complete these forms depending on their organizational structure. The rest of this principal selection factor is scored and requires Offerors to describe their experience managing food and beverage and retail operations; aspects of their employee management; and their history of adverse events.

In response to Principal Selection Factor 4, Offerors must provide documentation demonstrating their financial resources to commence and carry out operations under the Draft Contract, including a business history form. Offerors also must complete forms in the provided MS Excel workbook and provide other information to demonstrate an understanding of the financial obligations under the Draft Contract.

In response to Principal Selection Factor 5, Offerors must state the franchise fee they will pay on gross receipts generated under the Draft Contract. Failure to agree to pay at least the minimum franchise fee set out in the selection factor will result in the Service finding the proposal non-responsive and ineligible for award of the Draft Contract.

Secondary Selection Factor 1 requires Offerors to describe initiatives they will implement as part of their waste management strategies and practices.

Secondary Selection Factor 2 requires Offerors to describe how they will improve the visitor experience at the Herring Cove Snack Bar.



Doing Business with the National Park Service

The National Park Service has worked with private parties to provide services to visitors dating back to the earliest times of national parks. Many of the iconic lodges and other structures found in America's national parks were constructed and operated by private parties, and that relationship continues today.

We use the term "commercial visitor services" when generally describing services, benefits, and goods available to visitors within an area of the National Park System by a third party for a fee. Simply put, the term "commercial visitor services" includes lodging, food and beverage, retail, marina operations, guided recreation, rental of equipment, experiential transportation, and similar services the National Park Service itself does not provide. Congress has passed several laws guiding the National Park Service in contracting with third parties to provide these services including the National Park Service Concessions Management Improvement Act of 1998. The National Park Service implemented regulations for many aspects of the law, primarily to set out the process for soliciting bids for new contracts and managing the concessioner's investment in structures owned by the United States.

Working with the National Park Service in providing commercial visitors services differs from operating outside a park in several respects. By law, we approve rates to ensure park visitors do not pay higher fees for goods and services merely because such transactions occur within a park. As with the private sector, concessioners must develop and follow environmental management programs, risk management programs, and similar programs to ensure operations comply with applicable laws. Our employees review the quality of concession operations and compliance with contract requirements including the maintenance of facilities.

Even with those regulatory actions, concessioners in national parks enjoy significant benefits. Many parks function as unique visitor destinations. Concessioners frequently operate as monopolies even though we do not grant exclusive rights to any visitor services. Although we approve rates, our processes ensure the rates are competitive with similar services near the operating locations. Our contract oversight reflects the best management practices of the private sector industries. We developed operating standards based on similar ones in the private sector to reflect best industry practices for the required services required under the concession contracts.



Pictured: Herring Cove Snack Bar

Source: NPS

The National Park Service and its Mission

In 1916, President Woodrow Wilson approved legislation creating the National Park Service within the Department of the Interior. That legislation stated that Congress created America's National Park Service to:

...conserve the scenery, natural and historic objects and wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. Public Law No. 64-235, § 1 (codified at 54 U.S.C. § 100101(a))

Additionally, Congress has declared that the National Park System should be:

...preserved and managed for the benefit and inspiration of all the people of the United States. Public Law No. 91-383, § 1 (codified at 54 U.S.C. § 100101(b))

The National Park Service preserves unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations. The Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world. Visit the [National Park Service website](#) to learn more about the National Park Service. This site includes information about the Service's mission, policies, and individual park units.

Orientation to Cape Cod National Seashore and Herring Cove Snack Bar

In 1961, the U. S. Congress established Cape Cod National Seashore as a unit of the National Park System to preserve vital elements of the Cape's character, including flora and fauna, physiographic conditions, historic sites and structures, cultural heritage and other unique natural and cultural features. This legislation recognized that the Outer Beach of the Cape Cod Peninsula as nationally significant for ecological, historical and cultural reasons.



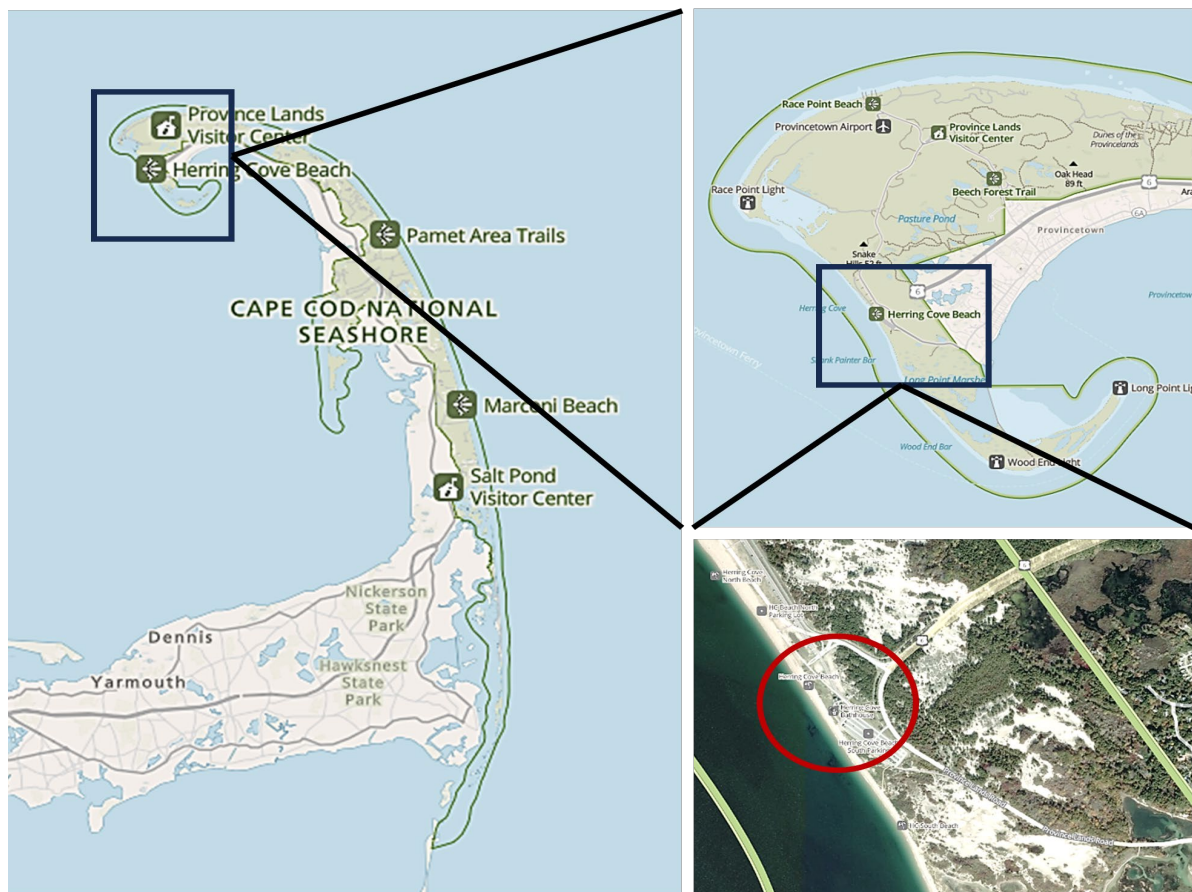
Pictured: Province Land Dunes
Source: NPS

Cape Cod National Seashore's mission is to "preserve the nationally significant and special natural and cultural features, distinctive patterns of human activity and ambience that characterize the Outer Cape, along with the associated scenic, cultural, historic, scientific and recreational values, and to provide opportunities for current and future generations to experience, enjoy, and understand these features and values."

While preserving nationally significant resources and special human values was the paramount objective of Congress, equally clear is Congress' vision of a park unit actively enjoyed by people. The proponents of the bill that eventually became the basis for the legislation creating Cape Cod National Seashore articulated a special ambience or feeling on Cape Cod that they wanted to preserve, including the continuation of favorite pursuits, such as beachcombing, clamming, fishing, accessing areas of great scenic beauty and maintaining the sense of remoteness and tranquility.

The Seashore provides a wide variety of opportunities for visitors to enjoy athletic, sporting, touring and educational activities of all types. The Seashore has two visitor centers, an environmental education centers, 28 miles of hiking and biking trails, multiple picnic areas, historic buildings, and numerous beach facilities available to the public.

Figure 1. Maps of CACO004 Location

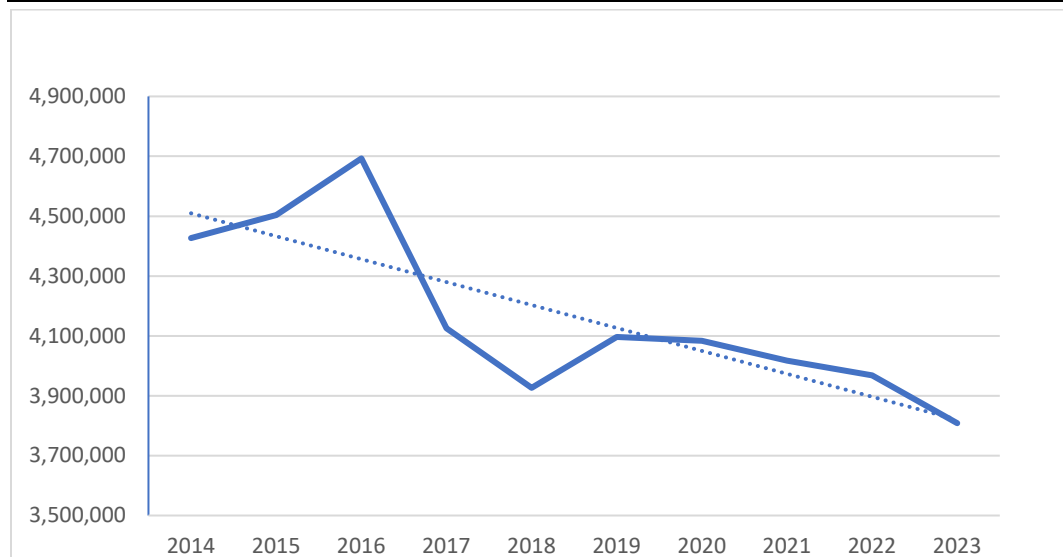


Source: NPS

The concession operation serves a high volume of visitors to the Park. Charts indicating annual and seasonal visitation patterns are presented below. Outdoor recreation activities offered safe, socially

distant recreation options and spurred record visitation levels during the pandemic. Although recreation visits have declined from 2021 levels, they are still above pre-pandemic levels.

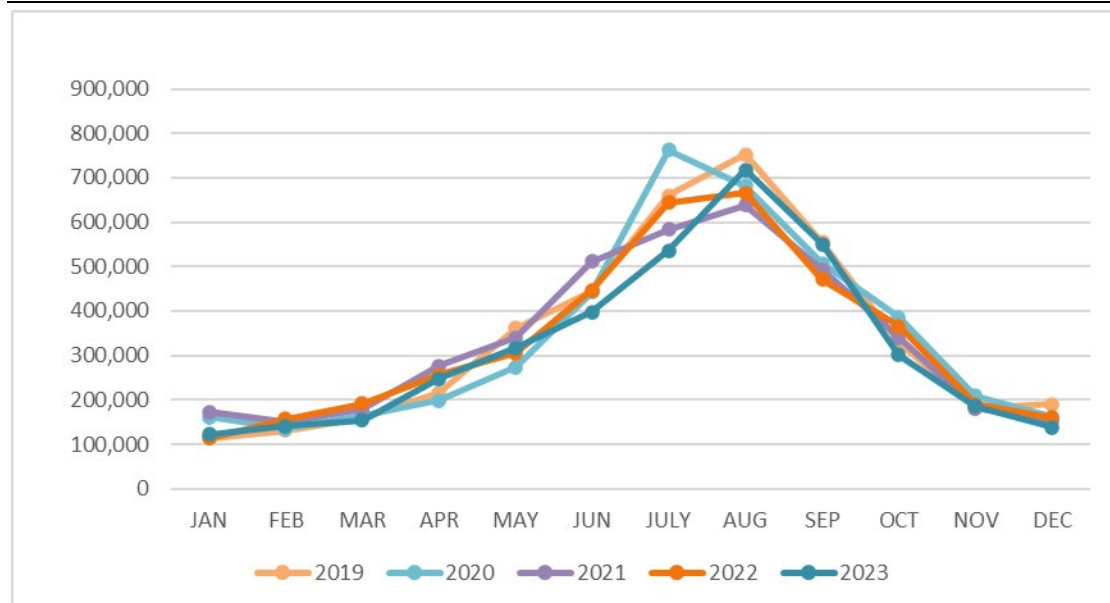
Figure 2. Annual Visitation to Cape Cod National Seashore



Source: National Park Service

Seasonal visitation at the Park generally follows a predictable pattern, with peak visitation occurring during the June to October period.

Figure 3. Seasonality of Visitation to Cape Cod National Seashore



Concession Opportunity

The following summarizes the key elements of the business opportunity for the Draft Concession Contract CACO004-16 (Draft Contract) to provide food and beverage services at Herring Cove Snack Bar within Cape Cod National Recreation Area (the "Park," "Area," or "Seashore"). In the event of any inconsistency between the terms of the Draft Contract and this Summary, the Draft Contract will prevail.

Overview

The Draft Contract requires food and beverage sales and authorizes associated services at Herring Cove Snack Bar. The snack bar is located at Herring Cove Beach on the north end of Cape Cod, near Provincetown, Massachusetts. Herring Cove Snack Bar is within the Herring Cove Bath House Facility directly on Herring Cove Beach. Herring Cove is a key visitor destination within the Seashore and is home to a beautiful, lifeguarded, beach that wheelchair users can access. It is the perfect location for activities such as whale watching from the shore, surf casting, swimming, kayaking, and sunset watching.

The Former Contract, which is available upon request, authorized the Former Concessioner to provide the same visitor services as are listed in the Draft Contract. To allow for continuity of services at Herring Cove Beach, the Park plans to issue Commercial Use Authorizations to food truck operators during 2025.

The assigned land in the Draft Contract includes use of an approximately 850-square-foot snack bar at the Herring Cove Beach Center and use of an approximately 200-square-foot storage closet. The Beach Center also includes an outdoor seating space for up to 80, a public restroom, and lifeguard center which are overseen by the Park Service.

Draft Contract Term

The Draft Contract will be issued for a term of ten years, beginning January 1, 2026, and ending December 31, 2035. The effective dates of the Draft Contract are subject to change prior to award if determined necessary by the Service. In the event of a change to the effective date, the Service will also change the end date to ensure that the term of the Draft Contract remains ten (10) years.

Required and Authorized Services

The chart below describes the required and authorized services as specified in the Draft Contract. The Concessioner must provide the required services. Identified authorized services are subject to approval. The Draft Contract, including its exhibits and attachments, contains details regarding visitor services.

Exhibit 1. Draft Contract CC-CACO003-25 - Required and Authorized Services

<u>Required</u> Draft Contract Services	Draft Contract Service Locations
Food and Beverage Sales	Herring Cove Snack Bar
<u>Authorized</u> Draft Contract Services	Draft Contract Service Locations
Alcohol Sales	Herring Cove Snack Bar
Convenience Item Sales	Herring Cove Snack Bar
Food and Beverage Sales	Temporary Locations Outside the Assigned Facility, but on NPS Property within the Seashore



Source: Draft Contract CC-CACO004-26

The Service sets the operating standards and evaluates the Concessioner's compliance as specified in the *Service Standards and Periodic Evaluations* available on the [NPS Commercial Services](https://www.nps.gov/subjects/concessions/standards-and-evaluations.htm) website¹. The Service further divides the food and beverage services into distinct classifications, as described below and in the Operating Plan, Exhibit B to the Draft Contract.

Overview of Required Services

Food and Beverage

The Concessioner will operate food and beverage operations on a seasonal, daily basis at Herring Cove Snack Bar. All menus must maintain a selection and associated price range that accommodates the general range of Park visitors and that are appropriate to the "fast casual" service classification level. A summary of the current service classifications for outlets in the draft contract follows:

Location	Classification	Operating Season
Herring Cove Snack Bar	Fast Casual	Memorial Day through Columbus Day Weekend

Estimated Revenue and Expense Projections

Departmental and Indirect Expenses

In developing projected expense estimates, the Service assumed adjustments of certain departmental, indirect, and fixed expenses to reflect costs associated with changes in operations. The Service projects departmental and indirect expenses will be within industry average ranges, except for expenses as explained below.

Labor and Benefits

The Concessioner will be responsible for paying whichever minimum wage schedule is higher, the state or federal.

Offerors should take note of the staffing and certifications needed to deliver the services required by the Draft Contract. The Operating Plan, Exhibit B to the Draft Contract, and the Maintenance Plan, Exhibit M to the Draft Contract, include specific operational requirements for the concession operation.

Utilities

The Concessioner must contract with independent suppliers to provide year-round telephone service, water/wastewater, electrical service, propane, recycling, and solid waste hauling and disposal.

Insurance Requirements

Exhibit F of the Draft Contract sets out the minimum insurance requirements for these concession operations.

¹ <https://www.nps.gov/subjects/concessions/standards-and-evaluations.htm>



Investment Analysis

Initial Investment

The Concessioner's total estimated required initial investment includes personal property, inventory, working capital, start-up costs, and operating supplies. The Offeror's proposal in response to Part III of this Prospectus should address how it intends to fund these items.

Personal Property

The Service estimates the initial personal property investment associated with the Draft Contract includes, but is not limited to, personal property such as furniture, trade fixtures, equipment, and vehicles. The Existing Contract does not require the Existing Concessioner to sell and transfer to a successor, or a successor to purchase from the Existing Concessioner, the Existing Concessioner's personal property associated with the concession operations.

Inventory and Working Capital

The Concessioner will need to invest a certain amount of working capital in the operation to cover the first few months of operating expenses the Concessioner likely will incur in advance of offsetting revenues. The Service estimates the working capital requirement will include inventory consisting of retail merchandise and food and beverage items.

Start-Up Costs and Operating Supplies

At the start of the Draft Contract, the Concessioner will need to make a one-time investment in a range of activities to ramp up operations including hiring staff, training (which may involve compensation to staff in addition to normal wages), systems implementation, legal support services, and marketing and advertising.

Initial Investment Summary

The Concessioner's total estimated required initial investment as projected by the Service is presented in the following table.

Exhibit 2. CC-CACO004-26 Draft Contract - Initial Investment

Investment	Total
Personal Property	\$53,000
Start-Up Expenses	\$27,000
Initial Inventory	\$14,000
Initial Working Capital	\$7,000
Total Estimated of Initial Investments	\$101,000



Ongoing Financial and Operational Requirements

In addition to the investments listed above, the Draft Contract includes the following requirements that are ongoing throughout the term of the Draft Contract. The Offeror's proposal in response to Part III of this Prospectus should address how it intends to fund these items or account for them.

Franchise Fees

The minimum franchise fee will be equal to five percent (5%) of the Concessioner's annual gross receipts for the term of the Draft Contract. However, Offerors may propose a higher franchise fee, as described in the Proposal Package of this prospectus.

Historical Concession Data

Historical Revenues

Exhibit 3 presents historical revenues subject to franchise fee from the operations under the Prior and Existing Contracts from 2018 through 2023.

Exhibit 3. Historical Revenues - Required and Authorized Services

	2023	2022	2021	2020	2019	2018
Food and Beverage Sales (Required Service)	\$175,855	\$186,367	\$132,722	\$96,509	\$278,556	\$280,758
Alcohol Sales (Authorized Service)	\$34,502	\$50,123	\$29,586	\$27,681	\$57,053	\$58,565
Special Events Catering (Authorized Service)	\$0	\$0	\$0	\$0	\$0	\$0
Convenience Item and Beach-Related Sundry Sales (Authorized Service)	\$0	\$0	\$0	\$0	\$0	\$0
Beach Chair and Umbrella Rentals (Authorized Service)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$210,357	\$236,490	\$162,308	\$124,190	\$335,609	\$339,323

Links to Additional Information

Links to additional information are included in the Appendix Table of Contents to this Prospectus.

Preferred Offeror Determination

The 1998 Concessions Act includes a limited right of preference in renewal for certain categories of qualified concession contracts. Pursuant to 36 C.F.R. Part 51, the Director has determined that there is no preferred Offeror for the Draft Contract.

