

National Park Service



The Panel Process

October 15, 2008

Concessions Management Advisory Board



What does the law say?

In selecting the best proposal, the Secretary of the Interior must consider four listed factors

Protection, conservation, preservation of the park resources and provision of necessary and appropriate services to the public at reasonable rates

Experience and appropriate background of the entity submitting the proposal

The financial capability of the entity submitting the proposal

The proposed franchise fee (which is subordinate to the other factors)

In addition, the Secretary may consider appropriate secondary factors

16 U.S.C. 5952(5)



What do the regulations say?

- The Director applies the selection factors by assessing each of those factors on the basis of a narrative explanation, discussing any subfactors when applicable.
- The Director assigns a score that reflects the merits of the proposal and in comparison with other proposals.
- The Director assigns a cumulative point score for each proposal based on the assigned score for each selection factor.
- The Director selects the responsive proposal with the highest cumulative score.

36 C.F.R. § 51.16



So who does what?

- Regional Chief of Concessions ~ solicits participation on the panel
 - If a WASO level contract, the Program Chief approves the panel make-up

- Panel Chair ~ Prepares for panel, facilitates the panel process, completes panel evaluation document
 - May prepare analysis formatted documents for panel members to fill in
 - May prepare matrices for panel members to use to check work



Panel Members ~ Evaluate the proposals and prepare the narrative evaluation

- All panel members must be Federal employees with the skills to competently assess the subject matter of the proposals.
- Officials of the subject park may not serve as panel members.
- Superintendents from parks with a concessioner that submitted a proposal may not serve as panel members.
- Often we match more experienced panel members with those with less experience to develop a wider pool of qualified panel members.



Technical advisors ~ assist panel chair and members

- Includes members of the Office of the Solicitor
 - Includes representatives from the park
 - Includes outside expertise such as in vessels, environmental matters (e.g., air and water quality), financial analysis
 - May assist in drafting the panel evaluation document
 - Do not participate in scoring discussions other than answering questions from the panel members or panel chair



How do panels work?

Competitive situations (More than one offer received)

- Formal group meetings
- 7 to 15 employees plus technical advisors working together over a period of 1 to 2 weeks

Non-competitive situations (Only one offer received)

- Informal
- 2 to 3 employees working independently over a brief period of time
- May include technical advisors



How do panels work? (cont'd)

- All participants sign a confidentiality statement
- Panel members review the entire prospectus before the group convenes
- Every panel member reviews each proposal, with a focus on the selection factor he or she is working on



**Example of the volume of material
received for one prospectus**





How do panels work? (cont'd)

- Panels work long hours, often through weekends
- Open and frank discussions on a daily basis
- After the first few days, panels often go through a preliminary scoring session
- Final scoring and consensus during the last days of the panel
- Final writing



What is the result?

The panel effort results in a written recommendation to the decision-maker:

- Which proposals were responsive
- Which proposal was best, based on its merit and in comparison with the other proposals