

Addendum No. 2 – First Round Questions & Answers  
RFP Number CEO112001  
Issued December 18, 2020

LAKEBERRYESSA–NAPA COUNTY, CALIFORNIA  
RESORT CONCESSION AREAS  
REQUEST FOR PROPOSALS

RFP Number: CEO112001  
Issued by: Napa County Executive Office  
Date of Issue: November 24, 2020

**ADDENDUM No. 2**  
Date of Issue: December 18, 2020



# Lake Berryessa

Napa County, California

A World Class Destination

Three Unique Resort Sites  
Development Opportunities

**The following Answers are provided to First Round Questions on the Request for Proposals:**

1. Once one or more proponents have been selected for exclusive negotiations is it reasonable to expect to negotiate a definitive concession agreement in two months (February and March)?

**A: We expect definitive concession agreements can be negotiated in this timeframe, but they will necessarily include contingencies for conditions of approval (TBD through environmental assessment), settlement of appeals or litigation (if any) and financing commitments – to name a few.**

2. Could the County provide an estimated timeline for approvals (CEQA, NEPA, Public Works, Planning, Water Resources Control Board, Use Permit) following a definitive agreement?

**A: We are unable to provide a timeline as the approvals may vary based on the scope of each request. In general, Napa County is committed to working with selected concessionaires to seek approvals as quickly as possible. County staff will assist with facilitating internal reviews on an expedited basis. A full-time Concession Development Manager will join the County's professional team on February 1, 2021.**

3. Can a list of interested parties be circulated to all the others? For example, potential sub concessionaires might want to connect with potential master concessionaires; operators might want to connect with potential developers; architects and land planners might like to connect with prospective respondents. This transparency might lead to stronger, more interesting proposals.

**A: We are happy to share a list of the interested parties, if such parties provide permission to release their name. We will not release names without permission and will only release those names to others that have also given consent. Please email [jeff.brooner@countyofnapa.org](mailto:jeff.brooner@countyofnapa.org) by December 30th to grant permission to release your name.**

4. *During a reasonable "due diligence" period, the respondent may conduct environmental site assessments of the concession area. Concessionaires shall be responsible for the removal or remediation of hazardous materials, if any, that are required to be removed or remediated initially, or during the term of the contract.*  
Question: Aside from the 2002 Kleinfelder ESA, Is there a recent phase I environmental investigation report for each of the resort areas?

**A: No, 2002 was the last study completed by the BOR to the best of our knowledge.**

5. At what level is the Bureau of Reclamation involved in the oversight of the selected concessionaire?

**A: The Bureau of Reclamation will only be consulted on proposed plans to ensure compliance with the Visitor Services Plan and the Record of Decision and other items that require federal review. However, their involvement will be indirect and facilitated only through Napa County staff.**

6. Who dictates what standards are to be met in the oversight of the operations, BOR or the County of Napa?

**A: Napa County, pursuant to the Managing Partner Agreement.**

7. Is there a consideration for a management fee that is tied to lake level to accommodate for drought relief?

**A: Please address this in your proposal if you wish. This would be an item subject to negotiations.**

8. In consideration of the selection process, will the County be taking into account each bidder's history of the Annual Operating Evaluations done by other agencies of their operations?

**A: Yes, please include this information in your response if you choose.**

9. Is access to the property available before the official walk around?

**A: Sites open to the public can be accessed at any time. We cannot grant special access to areas that are not available to the public.**

10. Provide copies or access digitally to the "60% design" drawings that are the basis for the environmental assessment for the proposed development at all locations (RFP page 9)

**A: We will seek to obtain this document from the BOR and provide if we are able to access.**

11. Are respondents expected to demonstrate plans for COVID-19 related social distancing and other precautions during the construction phase and any operations that come online while the pandemic threat remains active? Should this be addressed in the response?

**A: All respondents should qualify their proposal with a simple statement that "they undertake to comply with any health safety precautions and/or regulations regarding COVID-19 as are published, from time to time, by the County Health Officials"**

12. What is the status of the waters of Lake Berryessa relative to Quagga Mussel infestation in other California Lakes? Does the BOR or any of the operators have a Quagga inspection and boat launching protocol in place? Should this be addressed in the response?

**A: A protocol is in place. We will seek to obtain the protocol and post.**

13. What kind of financial incentives does the BOR or County have in mind other than the 18 months of projected construction being rent free? (RFP page 23)

**A: The RFP does not suggest any specific 'rent free' period nor any concession fee structure. Bidders may make suggestions in their proposal; however, this is an item subject to negotiations. The BOR will not be providing financial incentives and bidders should not assume that the County will have the ability to provide cash incentives.**

14. Is the 20-page limit for responses realistic?

**A: No, we are waiving the 20-page limit on proposal submissions. There is no limit on what may be submitted to the County.**

15. In section I, the respondent is expected to represent an acceptance with the Key Terms. Included in the terms, Item 2, Concession Fees, the respondent is invited to propose a variety of fees. Does such a response count against the previous 20-page limit on submittals?

**A: See question 14.**

16. In Section I, 4. Capital Investment, the respondent must include the estimated amount and detailed description of the proposed Capital Investments. Does such a response count against the previous 20-page limit on submittals?

**A: See question 14.**

17. In Section I, 6. Customer Service Plan, the respondent must submit its plan to address the issues. Does such a response count against the previous 20-page limit on submittals?

**A: See question 14.**

18. In Section I, 11 Hazardous Materials, the respondent is required to conduct an environmental assessment and remove or remediate hazardous materials. Does BOR or Napa County have any previous assessment or has taken action to remove hazardous material from the proposed sites? If so, please provide documentation.

**A: The County has not completed a recent environmental assessment. To the best of our knowledge the 2002 Kleinfelder report, among the List of Attachments (Section L of the RFP) is the most recent assessment by USBR.**

19. May respondents bid on one, two or all three proposed sites in separate submittals?

**A: Yes, a respondent may bid on one, two or three sites. However, a separate proposal shall be submitted for each site.**

20. Are the Land Use Plans in the 2017 Ragatz Reality report representative of the direction for development intended by BOR and Napa County in the final buildout model that is hoped for?

**A: Yes, they are representative although specific uses that are inconsistent with the Visitor Services Plan will not be approved.**

21. Scoring under the Evaluation Section indicates that a review of a Financial Proforma and proposed concession fee will garner 25% of the total evaluation. Is the proforma a single year or is it to span the duration of the proposed term of the agreement? Does the documentation needed to fully describe the financial results and fee structure, also need to be included in the 20-page limit?

**A: The 20-page limit has been waived. The proforma should show projected financial results for the 'stabilized' year of operation and include an estimate of how many years it will take to achieve stabilization.**

22. Why are respondents to only the 2018 RFI given preference points in evaluation scoring (5 points under Local Engagement)? What if a respondent made a full submittal during the 2009 BOR RFP for all 7 resorts? Should not that participation be acknowledged as Local Engagement?

**A: Napa County was not involved in the 2009 RFP by the BOR and has since established its own process separate and apart from the BOR. We suggest you include this information in the proposal; however, it will not result in additional points as the current Managing Partner Agreement with the BOR was based on the interest the County received directly in 2018.**

23. For the RSVP for the site visits, do you require an exact count for the number of attendees?

**A: An exact count is not required, however a count that is accurate to within one or two people will be.**

24. Do you anticipate extending the bid due date?

**A: Given the recent statewide Regional Stay Home Order, we are evaluating new dates for the site visit which may impact the RFP response date. We will provide a further update by December 31, 2020.**

25. What additional details are you willing to provide, if any, beyond what is stated in bid documents concerning how you will identify the winning bid?

**A: We have no additional details to offer, at this time. If any become apparent before January 19, 2021, we will publish these as part of our Responses to Round 2 Questions.**

26. Was this bid posted to the nationwide free bid notification website at [www.mygovwatch.com/free](http://www.mygovwatch.com/free)?

**A: Napa County did not post the RFP on mygovwatch.com/free. Please note that Napa County does not guarantee the accuracy of information found at any place other than the County's website.**

27. Other than your own website, where was this bid posted?

**A: Napa County only posted the RFP on its own website. It has also been distributed to other parties, including potential respondents, that have made direct requests.**

28. For the bid out at Lake Berryessa, could you tell me what the scope of work is?

**A: Please refer to the Request for Proposal and subsequent attachments for this information.**

29. *USBR has completed detailed, but preliminary, development plans for the three areas. The USBD has an approved Visitor Services Plan/Record of Decision on the site. Proposals must comply with this document.* Question: Please provide a link to the preliminary development plans referenced.

**A: We will seek this information from BOR and post if we are able to access.**

30. *Environmental assessment has been completed for the plans to "the 60 percent design level." To the extent that concessionaires' development plans are substantially compatible with USBR's preliminary development plans, the required environmental impact assessment may be accelerated.* Question: Please provide a link to the "60 percent design level" plans.

**A: See answer to Question 10.**

31. *Proper regulations will still be imposed by Napa County and USBR, but the approval process will be less time-consuming than normal.* Question: Has a traffic study been performed? Will one be required?

**A: This will be decided during the scoping of future environmental assessment (CEQA and or NEPA).**

32. *Environmental compliance statements will be required, but a head start has already been made by USBR.* Question: Is there schedule for the remaining permit process?

**A: See Question 2.**

33. *Given the need for new infrastructure investment, in some cases, Napa County may be willing to offer a variety of financial incentives for appropriate developments and operations.* Question: Would these incentives apply only to public infrastructure?

**A: See Question 13.**

34. *Please provide a brief overview of the security plan and enhanced law enforcement plan you would implement with the development you have proposed.* Question: What is the expectation for security? Will the applicant be expected to provide law enforcement services for the project?

**A: This will be subject to negotiation and dependent on the scope of what is specifically proposed. If the proposed activity will generate a significant increase in law enforcement activity, the County will want to discuss how those costs will be covered. At a minimum, a security proposal is required and will be reviewed by the Napa Sheriff's Office.**

35. *Permitted uses include any of those described in Section C of this RFP under Potential Attractions and Amenities provided these are not in conflict with the USBR's 2006 Visitor Services Plan Rod (Record of Decision).* Question: Is the Record of Decision (ROD) / Visitor Services Plan (VSP) a recommendation or requirement for permitted uses?

**A: All proposals must be in compliance with the Record of Decision/Visitor Services Plan.**

36. *Short-term occupancy refers to overnight uses of campsites, RV and travel trailer sites, motel or lodge accommodations, cabins, cottages, park models, houseboats, or other overnight occupancy vessels for a period not to exceed 14 days during any period of 30 consecutive days.* Question: Is there any flexibility in the occupancy limits? Specifically, the short-term occupancy limit not to exceed 14 days?

**A: No, short-term occupancy limits were further confirmed in the Managing Partner Agreement.**

37. *Park Model Question... Park models are considered rolling stock and must be removable. Question: Does this require that wheels and axles must be left intact?* Question: Will permanent attached decks be allowed on park models?

**A: Napa County will seek additional clarification from USBR. However, concessionaires should be prepared to remove any improvements made to the sites at the end of the concession term.**

38. *Final Environmental Impact Statement 2005...Impact to Air Quality.* Question: Are gas powered golf carts allowed?

**A: This is subject to negotiation.**

39. *2017 RFP Questions... Appendix C – Site Plans & Infrastructure Design Question: Will a new plan need to conform to these provided site plans?* Question: Do these plans apply to the current RFP in anyway?

**A: No**

40. Will an extension will be granted for interested parties to submit a proposal for Lake Berryessa. Per the State of California Stay at Home orders, we won't be able to access the resort site with our team until at least earlier January or after the orders are lifted. Due to the RFP scope and investment required, we will need at least six weeks after our on-site evaluation to prepare and submit a written proposal.

**A: We are open to feedback from interested parties and will consider an extension dependent based on when we reschedule site tours. We will make, and communicate, a decision by December 31, 2020.**

41. Do I need to sign a document acknowledging the first addendum?

**A. Your signature below will also acknowledge receipt of Addendum No. 1.**

**This Addendum must be signed as acknowledged and submitted with proposal.**

Acknowledged \_\_\_\_\_ Date \_\_\_\_\_

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