

# National Park Service



## The Panel Process

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# The Panel Process



## 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)

# The Panel Process



## 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 sub-factors 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.

# The Panel Process



## 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
- Prepares formatted documents for panel members to use

# The Panel Process



## 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 less experienced ones to develop a wider pool of qualified panel members

# The Panel Process



## Technical advisors

- Assist panel chair and members
- Include representatives from the park
- Include outside expertise such as vessels, environmental matters, and 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
- Includes members of the Office of the Solicitor

# The Panel Process



## How 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

# The Panel Process



## How panels work

- All participants sign a confidentiality statement
- Panel members review the prospectus before the group convenes
- Panel member review each proposal, with a focus on the selection factor he or she is working on
- Open and frank discussions on a daily basis
- Final scoring and consensus during the last days of the panel



# The Panel Process



## 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

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Why we limit pages