

United States Senate
WASHINGTON, DC 20510

June 10, 2015

The Honorable Sally Jewell
U.S. Department of Interior
1849 C Street NW
Washington, DC 20240

The Honorable Jon Jarvis
National Park Service
1849 C Street NW
Washington, DC 20240

Dear Secretary Jewell and Director Jarvis,

On a number of previous occasions I have expressed my concerns, both to the Department of Interior (DOI) and to the National Park Service (NPS), about the review process for awarding concessions contracts at our national parks. After observing the process that resulted in the loss of the Acadia Corporation's contract at Acadia National Park, I feel strongly that there are a number of ways that the process could be strengthened, within existing law. NPS had indicated that they were reviewing their concessions awards procedures, and I write today to inquire as to the status of that review.

As you will recall, the Acadia Corporation, which had served Acadia National Park since 1933, lost its concessions contract in the fall of 2013. Despite its long history and close ties to the park, and despite no indication that it was offering anything less than exemplary service, Acadia Corporation lost out to a national company that was skilled at bidding on contracts. Acadia Corporation was skilled at running its concession contract, not at bidding.

"The Acadia Corporation is one of the best concessioners in the National Park Service. To their credit, and our good fortune, they have been easy to work with from small repair projects to large multi-year Park endeavors with changing timelines and components." These are the words of the NPS from Acadia Corporation's annual overall rating report for 2011. Unbelievably, that high opinion was expressly not considered during the concessions award process. Going forward, NPS should consider past ratings in their process.

Again, in the words of NPS, "[Acadia Corporation's] greatest asset is their acquired knowledge of their operation over many years of operation, the Park, and the workings of the bureaucracy of the federal government. Hence, they know what to expect and at times of disagreement, they adeptly cooperate with the Park and find solutions." The current NPS system rewards companies skilled at bidding, not at operating particular concessions contracts. NPS's current process does not require a final contract to incorporate the terms of the winning bid. This rewards companies that over-promise and that are skilled at bidding rather than honest operators of concessions contracts. NPS should put in an enforcement mechanism that requires that what the winning bid contains is actually incorporated into the final contract.

Acadia Corporation, which is headquartered in Bar Harbor, hired most of their employees – including their professional staff and outside professionals, like accountants and attorneys – from the local

community. They also sourced much of their products from the local community, and did so in an environmentally conscious way which was celebrated by NPS:

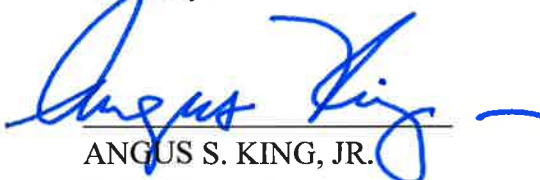
The Concessioner has made changes in the food it purchases for the past several years, e.g. using cage free eggs. They use about 200,000 eggs per season. Seafood, organic produce, breads, cheese, dairy products and meat are all purchased either locally or regionally. Because this initiative is not mandatory by concession contract, the Park recognizes the additional effort and cost that the concessioner has undertaken in 2011 and in previous years, to practice healthy food purchasing menu offerings. By purchasing goods regionally and from community vendors, this effort not only serves to promote the local economy of Maine, but also, demonstrates excellent stewardship in the protection of the area's resources and air quality through reduced transportation distances hence reduced pollution produced.

Yet, the impact on the local community from not using a local concessioner was not considered in the award process. When Acadia Corporation lost its contract, millions of dollars were removed from the Bar Harbor economy – the winning bidder's accountants, attorneys, and board members do not live in Acadia National Park's host communities. NPS should consider the locality of a concessioner and its impact on local communities when it awards concessions contracts.

The National Parks Service Concessions Management Improvement Act of 1998 rightly sought to reform the concessions award process to ensure that it was competitive. Yet, the way that NPS administers the Act often has adverse consequences for parks and host communities and is not in keeping with the intent of the Act. The concerns that I have outlined above are only a few of the many concerns that I have with the administration of the Concessions Act.

Our national parks provide an unrivaled outdoor experience for visitors and we should expect a comparable level of service from concessioners at those parks. I look forward to learning more about how you are reforming this process. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angus King", written over a horizontal line.

ANGUS S. KING, JR.

United States Senator