

**SUPPORTING STATEMENT A
FOR PAPERWORK REDUCTION ACT SUBMISSION**

**NPS LEASING PROGRAM
36 CFR 18
OMB CONTROL NUMBER 1024-0233**

Terms of Clearance: None

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

Title VIII, Section 802 of the National Parks Omnibus Management Act of 1998 provides legislative authority, policies, and requirements for the solicitation, award, and administration of National Park Service (we, NPS) leases for property located within areas of the national park system. NPS has implemented this authority in 36 CFR Part 18. Regulations are needed to assure consistent policies and procedures in the award and administration of NPS leases. The regulations contain six sections that involve the collection of information as follows:

a. Section 18.7	Requests for Bids
b. Section 18.8	Requests for Qualifications/Requests for Proposals
c. Section 18.12(c)	Subletting and Assignment of Leases
d. Section 18.12(i)-(j)	Approval of Lessee Construction/Demolition
e. Section 18.12(k)	Approval of Lease Amendments
f. Section 18.12(1)	Approval of Lessee Encumbrances

We will use the information to evaluate offers, proposed subleases or assignments, proposed construction or demolition, the merits of a proposed lease amendment, and proposed encumbrances.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

Information is collected from anyone who wishes to submit a bid or proposal in response to the Request for Bids (awarded on the basis of highest bid (rent)) or Request for Proposals (awarded based on criteria other than the amount of the rent). We will use the information to determine to whom to award a lease. Information is collected from existing leaseholders who seek to:

- Sublet a leased property or assign the lease to a new lessee.
- Construct or demolish portions of a leased property.
- Amend a lease to change the type of activities permitted under the lease.
- Encumber (mortgage) the leased premises.

Information that we collect includes, but is not limited to:

- Description of how respondent will conduct operations to minimize disturbance to wildlife; protect park resources; and provide visitors with a high quality, safe, and enjoyable visitor experience.
- Organizational structure and history and experience with similar operations.
- Details on violations or infractions and how they were handled.
- Financial information and demonstration that respondent has credible, proven track record of meeting obligations.

We collect this information in narrative and form format. The information we collect is currently approved under OMB Control number 1024-0233, however, we are requesting approval for the following forms that have not been approved previously

- Individual Identification and Credit.
- Business Organization and Credit Information.
- Financial Information for Revenue-Producing Uses.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.

At this time the collection of information involving electronic means is not available, primarily due to the wide disparity in both size and type of operations. The amount of information or degree of detail requested varies widely, depending upon the size and scope of the lease opportunity. Much of the information is extensive and confidential financial information; electronic submission may not be secure. Applicants are allowed to provide the information in a format that is convenient for them and to the extent possible, electronic submissions are accepted.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The information collected is unique to the applicant and no other source of information is available. As each business opportunity is also unique, offers submitted in response to each bid solicitation must be prepared individually as well as requests for sublets and assignments, and cannot be reused in the case of renewals or other repeat applications. As each business opportunity is unique, offers submitted in response to each bid solicitation must be prepared individually as well as requests for sublets and assignments, requests for construction and demolition, requests for lease amendments, and requests for encumbrances, and cannot be reused in the case of renewals or other repeat applications. No similar information pertaining to business opportunities on park lands is collected by the NPS or other Federal agencies.

5. If the collection of information impacts small business or other small entities, describe any methods used to minimize burden.

Information is collected from those small businesses that wish to submit a bid or proposal in response to the solicitation for a leasing opportunity. Information is also collected from those small businesses that hold a lease and wish to:

- Sublet the premises or assign the lease;
- Construct or demolish leased premises;
- Amend a lease; or
- Wish to encumber the leased premises.

As in the case of other applicants, information is limited to that required in order for us to objectively review all bids or proposals to determine which among them is the highest bid or best proposal. Also, in the case of existing leaseholders, information is limited to that required in order for us to objectively review sublet requests, requests to construct or demolish leased premises, amend leases, or encumber the leased premises.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

We cannot collect the information less often. Information is collected in response to an announcement of a leasing opportunity or when a lessee take the actions identified in item 5. If we did not collect the information, we would be unable to objectively assess all bids or proposals received in response to the advertisement of a leasing opportunity, as required by Public Law 105-391, and determine is the most responsive bid. Also, we would be unable to objectively determine whether or not to approve a sublease or a lease assignment, proposed construction or demolition, proposed lease amendments, and proposed encumbrances.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

There are no special circumstances that require us to collect the information in a manner inconsistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On October 22, 2013, we published in the Federal Register (78 FR 62658) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on December 23, 2013. We did not receive any comments.

In addition to the Federal Register notice, we contacted the following six lessees and requested comments on the accuracy of burden estimates when responding to a Request for Bids or Request for Proposals in response to a lease opportunity, availability of the data needed for such application, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Mr. Thomas Hontalas dba Louis Restaurant 948 Park Pacifica Pacifica, CA 94121	Ms. Rose Cranson Superior Bathhouse 501-463-3028
Mr. Anthony Taylor Quapaw Bath House 501-624-5679	Mr. Marcus Gaetani (Residential Lease – GOGA) 415-668-1202
Mr. Terry Talent Dutch Reformed Church (Lease at DEWA) PO Box 265 Dingman Ferry, PA 570-828-7952	Mr. Joseph P. Stead Cliff Park Golf Course 498 Little Walker Road Shohola, PA 18337 570-296-3969

Collectively, the sentiment was that the Request for Proposals and Request for Bids contain clear instructions and the information required is not a burden to provide. However, one lessee stated that the amount of time for the entire process, from the initial application to a final selection, should be examined, as it took NPS almost a year to select a qualified lessee, creating a costly delay for the lessee. This lessee also stated that the NPS should be prepared when the request for bids or proposals is issued and that all the legwork on the part of the NPS should be completed. Specifically, the lessee said that it took the NPS 9 months to conduct an appraisal on the property. In the interim, the lessee was unable to see a copy of the proposed lease, making securing financing complicated. This is a valid concern and we strive to make the

leasing process as efficient and timely as possible. However, these comments do not relate to the information collection. We did not make any changes to our requirements.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

We do not provide payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.

Offerors are advised in the solicitation document that all offers submitted may be disclosed by the Department of the Interior to any person upon request pursuant to the Freedom of Information Act. If the offeror believes that the offer contains trade secrets or confidential commercial or financial information exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552), the cover page of the offer, as well as each page of the offer containing such information is to be labeled. Information in an offer identified as trade secret information or confidential commercial and financial information is used by the Government only for the purpose of evaluating the offer, except that, (i) if a contract is awarded to the offeror as a result of the submission of the offer, the Government has the right to use the information as provided in the contract, and (ii) if the same information is obtained from another source without restriction, it may be used without restrictions. If the leaseholder believes that their submission contains trade secrets or confidential commercial or financial information exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552), the cover page of the request as well as each page of the request containing such information is to be labeled. Information in a request identified as trade secret information or confidential commercial and financial information shall be used by the Government only for the purpose of evaluating the request, except that, (i) if a lease, sublease, or assignment is approved as a result of the submission of the request, the Government shall have the right to use the information as provided in the approval, and (ii) if the same information is obtained from another source without restriction, it may be used without restrictions.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive questions are asked.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.

- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under “Annual Cost to Federal Government.”

We estimate that we will receive approximately 34 annual responses totaling 732 burden hours. The total dollar value of the burden hours is approximately \$56,364. We used the Bureau of Labor Statistics Occupational Employment and Wages, May 2012 to determine hourly wages. Table 11-1021 lists the mean hourly wage for a General Manager as \$55.22. To calculate benefits, we multiplied the hourly wage by 1.4 in accordance with news release USDL 13-2349, December 11, 2013, Employer Costs for Employee Compensation – September 2013, resulting an hourly cost factor of \$77 (rounded).

ACTIVITY	TOTAL ANNUAL RESPONSES	COMPLETION TIME PER RESPONSE (Hours)	TOTAL ANNUAL BURDEN HOURS	HOURLY RATE WITH BENEFITS	\$ VALUE OF ANNUAL BURDEN HOURS
Requests for Qualifications/ Requests for Proposals/Requests for Bids - Simple	10	8	80	\$77.00	\$6,160
Requests for Qualifications/ Requests for Proposals - Complex	10	40	400	\$77.00	\$30,800
Lessee Construction/Demolition – Simple	1	12	12	\$77.00	\$924
Lessee Construction/Demolition - Complex	2	32	64	\$77.00	\$4,928
Lease Amendments	2	4	8	\$77.00	\$616
Lessee Encumbrances – Simple	2	8	16	\$77.00	\$1,232
Lessee Encumbrances - Complex	2	40	80	\$77.00	\$6,160
Subletting and Assignment of Leases - Simple	4	8	32	\$77.00	\$2,464
Subletting and Assignment of Leases - Complex	1	40	40	\$77.00	\$3,080
TOTALS	34		732		\$56,364

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with

a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There are no nonhour cost burdens to respondents.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

We estimate that the annual cost to the Federal Government to administer this information collection is \$145,375, which includes salary costs for staff time to process and review proposals. We used Office of Personnel Management Salary Table 2013-DCB to determine hourly wage rates and multiplied the hourly rate by 1.5 to account for benefits in accordance USDL 13-2349.

POSITION/ GRADE/STEP	NO. OF RESPONSES	ESTIMATED TIME PER RESPONSE	TOTAL HOURS	HOURLY RATE	HOURLY RATE W/ BENEFITS*	TOTAL ANNUAL COST*
RFQ/RFP/RFB – Simple						
Supv. Concessions Specialist GS-13/5	10	8 hours	80	\$48.35	\$72.53	\$ 5802
Concessions Specialist GS-11/5 (2 FTE)	10	8 hours	80	33.92	50.88	4,070
RFQ/RFP - Complex						
Supv. Concessions Specialist GS-13/5	10	40 hours	400	48.35	72.53	29,012
Concessions Specialist GS-11/5	10	40 hours	400	33.92	50.88	20,352
Lawyer GS-15/5	10	40 hours	400	67.21	100.82	40,328
Approval of Lessee Construction/Demolition – Simple						
Supv. Concessions Specialist GS-13/5	1	12 hours	12	48.35	72.53	870
Concessions Specialist GS-11/5	1	12 hours	12	33.92	50.88	611
Approval of Lessee Construction/Demolition – Complex						
Supv. Concessions Specialist GS-13/5	2	32 hours	64	48.35	72.53	4,642
Concessions Specialist GS-11/5	2	32 hours	64	33.92	50.88	3,256
Lawyer GS-15/5	2	32 hours	64	67.21	100.82	6,452
Approval of Lease Amendments						
Supv. Concessions Specialist GS-13/5	2	4 hours	8	48.35	72.53	580
Concessions Specialist GS-11/5	2	4 hours	8	33.92	50.88	407
Lawyer GS-15/5	2	4 hours	8	67.21	100.82	807

Approval of Lessee Encumbrances – Simple						
Supv. Concessions Specialist GS-13/5	2	4 hours	8	48.35	72.53	580
Concessions Specialist GS-11/5	2	4 hours	8	33.92	50.88	407
Approval of Lessee Encumbrances – Complex						
Supv. Concessions Specialist GS-13/5	2	8 hours	16	48.35	72.53	1160
Concessions Specialist GS-11/5	2	8 hours	16	33.92	50.88	814
Lawyer GS-15/5	2	40 hours	80	67.21	100.82	8,066
Subletting and Assignment of Leases - Simple						
Supv. Concessions Specialist GS-13/5	4	8 hours	32	48.35	72.53	2321
Concessions Specialist GS-11/5	4	8 hours	32	33.92	50.88	1628
Subletting and Assignment of Leases – Complex						
Supv. Concessions Specialist GS-13/5	1	40 hours	40	48.35	72.53	2901
Concessions Specialist GS-11/5	1	40 hours	40	33.92	50.88	2035
Lawyer GS-15/5	2	40 hours	80	67.21	100.82	8,066
Total						\$145,167

*rounded

15. Explain the reasons for any program changes or adjustments.

We are reporting 34 annual responses totaling 732 burden hours. This is an adjustment decrease of 593 responses and 3,660 burden hours. We reestimated our number of responses based on our experience in administering this collection in previous years. Also, this decrease is reflective of revised guidelines as a result of a robust review and streamlining of the Leasing program within the Commercial Services Program.

Note: We have included forms that were not previously approved. These forms have been used in the past, but were inadvertently omitted from our previous submission. There is no change in burden from our previous submission. Although the forms were not included in the past, the burden associated with their completion was included in the ICs.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

We do not publish the results of this information collection.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We will display the expiration date on forms and other appropriate materials.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.