

**VIIS Caneel Bay Lease Questions and Answers
Batch 3**

Question 1

With regard to the RFQ, Caneel Bay, Page 11 under Utilities it states as follows:

"Utility infrastructure serving the Leasehold Premises consists of a desalination plant, wastewater treatment facility, and the infrastructure necessary to convey water and wastewater throughout the property. Electrical power on the island of St. John is supplied from St. Thomas via underwater cable. Petroleum products fuel almost all of the power generation for St. John, with a small amount being generated by solar with some battery storage capacity. The Resort has historically maintained power generation capacity on-site, however, the condition of the power generation facilities at the site is not known at this time.

The Lessee will be responsible for installing any new infrastructure that is necessary for executing their redevelopment project as well as maintaining new and existing infrastructure throughout the term of the lease. The operator of the Leasehold Premises will be required to have the necessary qualified individuals on staff, or available through some other means, to meet the operating, inspection, and reporting requirements for all of the proposed utility infrastructure, equipment, and facilities.

Water supplies for The Resort were previously supplied through a desalinization plant on site. If the Lessee intends to continue to utilize a desalinization plant to supply water to the resort, the Lessee will be required to obtain any and all permits that may be required, and to operate the plant in accordance with all applicable laws, regulations, and policies of the NPS, as well as any local requirements that may apply to the operation of the desalinization plant.

There is a wastewater treatment facility within the Leasehold Premises that was maintained and operated by the previous operator. The current condition of this facility and the associated infrastructure is not known at this time. The Lessee will be responsible for operating and maintaining the wastewater treatment facility and the associated infrastructure, including any repairs that may be necessary. The Lessee will be responsible for obtaining all of the necessary permits for repairing and operating the wastewater infrastructure associated with the Leasehold Premises, obtaining the necessary permits and inspections that may be required, filing the necessary operational reports, and disposing of all byproducts of the facility, in accordance with all applicable laws including the laws, regulations, and policies of the National Park Service and any other authority having jurisdiction."

Please clarify the following:

The desalinization plant, and the wastewater treatment facility, since they have not been in operation since September 2017, could the desalinization plant and the wastewater treatment facility be "grandfathered in?" Does the NPS have an opinion or ruling on this "grandfathering" issue?

Answer

The desalinization plant is currently operated by a third party and the lessee will be responsible for obtaining the necessary equipment, permits, and staff to operate the facility. This could be through a sub-contractor, with NPS approval, or the lessee could operate the plant with its own staff.

The NPS has not assessed the wastewater treatment plant but believes that it is not currently operational. If the lessee intends to utilize the existing plant, the lessee will need to evaluate the condition of the facility, complete the necessary repairs, and obtain the necessary approvals to operate the plant.

Question 2

It is my understanding that a "water catchment area" was used for the Caneel Bay Resort when it was open. The actual catchment area consists of a large, fenced-in basin that collects rainwater in a large holding tank. Water from the Caneel Bay desalination plant, was also pumped up into this tank. The water from the catchment area was filtered and chlorinated before it was brought into the resort. The catchment area is located high above the resort, so when the water flowed down into the property and its buildings, it had all the water pressure it needed to serve the resort adequately.

Please let me know if the above paragraph is accurate or not. If you have any additional information you could share about the water catchment holding tank as well, please let me know.

Would using this water catchment area still be possible or an option?

Answer

The NPS has not operated the water catchment area and the associated infrastructure and is not able to answer specific questions about how the infrastructure was utilized. The Leaseholder may utilize the existing catchment and adjacent area as identified in the Exhibit A Caneel Bay FONSI Map. The Responder should identify how they intend utilize the area in their RFQ.

Question 3

With regard to the wastewater treatment plant and the desalination plant can NPS provide a few more details such as the following (for both plants):

Age of the plants / equipment?

Are both plants original from the 1950s?

Have any "upgrades" to the plant and or equipment been made in the last 25 years, or the last 10 years?

Any damage assessment(s) from the hurricanes or from lack of use?

What is / was the capacity of each plant (roughly)?

Answer

The NPS does not know the age of the wastewater treatment plant or its equipment.

The desalinization plant equipment is owned and operated by a third party and will remain the property of the third party. The lessee will need to negotiate directly with the owner of the plant equipment if they would like to continue to utilize the existing plant.

The NPS has not conducted any assessment of the wastewater treatment plant or the desalinization plant.

The NPS does not know the capacity of the wastewater treatment or desalinization plant.

Question 4

With regard to power, does the resort have, or had, a "WAPA" account(s) for the property? If so can you provide a copy of a bill?

Answer

The Caneel site does have a WAPA account. The NPS does not have access to that account at this time, so we are unable to provide any information regarding past usage.

Question 5

What technical documents have survived?

Answer

The NPS has some construction documents for the site dating back to the 1950s. It is not believed that all of the construction that has occurred on the site is included in these documents. The NPS intends to make these documents available to those selected to respond to the RFP.

Question 6

Is there architectural documentation for the existing buildings?

Answer

See response to question 5.

Question 7

Is there a survey of the quality of the foundations below all the buildings?

Answer

The NPS intends to conduct a condition assessment on the existing structures and anticipates that the condition assessment will be completed prior to the release of the RFP. Once completed, the NPS will share this information with those selected to respond to the RFP.

We do not anticipate the condition assessment will provide determinative information regarding the "quality" of the buildings' foundations. The "quality of the foundations" will need to be determined by a future operator.

Question 8

Are there surveys of the land and its contamination?

Answer

The NPS documents related to the NPS's environmental cleanup can be viewed at Public Involvement for the Engineering Evaluation/Cost Analysis (EE/CA) Site Assessment at Caneel Bay Resort.

Question 9

Are there surveys of the composition on the land? rock samples, layers etc.?

Answer

The NPS does not have any documentation on land composition, other than what may be provided in the environmental cleanup documents reference in the answer to question 8.

Question 10

Is there a gas tank on site/in the ground for fueling of part vehicles and generators?

Answer

The previous operator indicated the fuel tanks onsite have been drained. The NPS has not verified the quantity or condition of the pumps or tanks.

Question 11

Is it possible to create some staff accommodation within the BOH?

Answer

Based on past plans, there was some accommodations that were converted to other operations within the back of house (BOH). The NPS will consider allowing for the construction of additional structures within the Leasehold Premises for staff accommodations. The responder should propose the size and location of future accommodations they would like to include as part of their redevelopment plans.

Question 12

Is the as-built of structures available?

Answer

See response to question 5.

Question 13

Can an alternative location be provided for commercial vendors in lieu of units 1-13?

Answer

The Caneel Bay Area Redevelopment and Management Environmental Assessment (Finding of No Significant Impact) is clear about the purpose and intent of cottages 1-13. That location is not part of the Lodging Zone. However, the NPS will consider a proposal that provides an alternate location for the 13 units, to be developed by the respondent within the Lodging Zone,

so long as the total number of rooms within the Lodging Zone does not exceed 166 guest rooms.

Question 14

Will commercial vendors have access to the dock?

Answer

The NPS will manage the dock within Caneel Bay and it is possible that commercial operators may have access to the dock. The NPS will manage the dock to limit negative impacts to park resources and the visitor experience within Caneel Bay.

Question 15

What are the developer's obligations for parking and access control to Honeymoon Beach?

Answer

The leaseholder will need to provide for public access to Honeymoon Beach through the site. The developer may, but is not required to, provide public parking within the Lodging Zone for visitors to the day-use areas.

Question 16

Beyond the ruins, are any other structures designated as historic or otherwise restricted from renovation or reconstruction?

Answer

Currently there are no other structures that are listed on the National Register of Historic Places (National Register) within the Lodging Zone. However, the majority of the structures within the Lodging Zone are eligible for inclusion on the National Register. The National Park Service is in the process of evaluating the existing structures. The National Park Service will provide Historic Preservation and Treatment Guidelines for all of the structures as part of the RFP process. These guidelines will assist with all historic buildings, structures, sites and objects identified within the Caneel Bay Historic District.

Question 17

Must the 166-key maximum resort footprint match the previous layout, or can structures be relocated (e.g., beachfront rooms moved inland)?

Answer

No, the building footprint does not have to match the existing footprint. The NPS anticipates that the developer will need to construct some of the maximum 166 rooms at different locations within the Lodging Zone.

Question 18

Since Zozo's Restaurant can't be redeveloped at the Sugar Mill can a replacement structure be added elsewhere?

Answer

The NPS will consider proposals to develop areas of the property, including additional structures, that will provide additional services, including food and beverage services similar to those that were offered through Zozo's restaurant.

Question 19

Can we access original design plans to align with the mid-20th-century guest experience intent?

Answer

See response to question 5.

Question 20

Are existing MEP (mechanical, electrical, and plumbing) drawings available for water/sewage treatment, purification, power, and stormwater systems?

Answer

See response to question 5.

Question 21

How many parking spaces exist, and how many must be reserved for public use?

Answer

The current parking is located within the Interpretive/Engagement Zone and Operations and Maintenance Zone. The parking areas do not need to remain parking, responders are free to re-envision the area and make a proposal to best utilize the space in accordance with their overall vision for the resort property.

Question 22

Since fuel dock at NPS dock in Cruz Bay is assumed excluded would NPS be willing to include it if it would benefit the redevelopment?

Answer

The fuel dock and apartments adjacent to the NPS Visitor Center are not owned or managed by the NPS and therefore the NPS cannot require or allow for the operation or redevelopment of these areas.

Question 23

What are the intended uses for the three parking areas, particularly the taxi staging area?

Answer

The three parking areas do not need to remain parking, responders are free to re-envision the area and make a proposal to best utilize the space in accordance with their overall vision for the resort property.

Question 24

What remains of previous power and water infrastructure, and what is the current condition of these systems?

Answer

The previous operator drained the mineral oil from the transformers. They removed the two 75 kW diesel generators that were used for backup power. The power distribution system has not been assessed.

The reverse osmosis plant is currently being operated by a third party to provide water to local water haulers. The plant equipment is owned by the third-party operator. The Lessee will need to discuss utilizing the third-party's equipment or provide an alternate means to provide potable water for the site. The third-party knows that they may not be contracted by the Lessee and may need to remove their equipment from the site when a lease is negotiated. The NPS was informed that the existing equipment is nearing the end of its lifecycle. The NPS does not know the condition of the water distribution system.

To the NPS's knowledge, the wastewater treatment plant has not been in operation since the 2017 hurricanes. The NPS does not know the condition of the sewage collection system.

Question 25

Are there historic preservation requirements for Turtle Bay Restaurant buildings?

Answer

The Secretary of the Interior's Standards for the Treatment of Historic Properties are available at (www.nps.gov/orgs/1739/secretary-standards-treatment-historic-properties.htm) or by following this link ([The Secretary of the Interior's Standards for the Treatment of Historic Properties - Technical Preservation Services \(U.S. National Park Service\)](#)). These guidelines will assist with all historic buildings, structures, sites and objects identified within the Caneel Bay Historic District.

For additional information see the response to question 16

Question 26

Can the sign-in sheets of property tour visitors who showed an interest in the RFQ be posted by the Park Service?

Answer

The business names are available upon request.

Question 27

What the developer's obligations for procurement and partnerships?

Answer

There are no specific obligations for the developer regarding procurement or partnerships.

Question 28

Is the current RO plant owner a third party, and can its contract be renegotiated or replaced?

Answer

See response to question 24.

Question 29

If a 3rd party operates the RO plant, how much term is left on their RO plant owner/operations agreement?

Answer

See response to question 24.

Question 30

Is WAPA power still available, and is the transformer maintained via the trickle meter?

Answer

The NPS does not have access to the current WAPA accounts at this time and therefore are unable to provide any information regarding current usage.

Question 31

What are the developer's responsibilities for existing mineral oil and diesel fuel on-site?

Answer

NPS has requested that the prior operator remove these materials from the site and has contacted the Virgin Islands Department of Planning and Natural Resources (DPNR) regarding the matter.

Question 32

What are the CZM and local compliance requirements?

Answer

The developer will be responsible for complying with all applicable laws, including local/territorial laws that may apply to businesses operating on federal property, including, but not limited to, Coastal Zone Management requirements.

Question 33

What role will a third-party archaeologist play in the project?

Answer

Any archaeologist that is contracted to work on this project by either the National Park Service or outside the NPS will be required to obtain an Archaeological Resource Protection Act (ARPA) permit from the Southeast R2 Office. The role an archaeologist would have on this project can vary in fulfilling the commitments the NPS has made under the Programmatic Agreement (PA) between the NPS and the Virgin Islands State Historic Preservation Office.

Question 34

What environmental remediation issues must the lessee address, and what is their current status?

Answer

The NPS believes that the building materials within the Lodging and Operations and Maintenance Zones may have contained lead, asbestos, or other materials that may be considered hazardous. The developer/operator will be responsible for removing any existing debris from within the Lodging and Operation and Maintenance Zones, the demolition and removal of damaged structures and associated infrastructure systems, or portions thereof, within these zones, and for removing, disposing, or remediating all of these materials in accordance with all applicable laws.

Question 35

Will the NPS continue managing and remediating environmental cleanup efforts, and what is the projected timeline for resolution?

Answer

All of the planned environmental work within the Lodging Zone is currently complete. The NPS believes that all of the planned environmental work within the Operations and Maintenance Zone will be completed prior to the lessee taking possession of the premises. Exceptions to the environmental work include any infrastructure, buildings, structures, or debris that may be on the property, as these items will be the responsibility of the developer to either repair or remove in accordance with all applicable laws.

Question 36

Who will be responsible for maintaining infrastructure, such as roads within and to the site?

Answer

The Lessee will be responsible for maintaining the infrastructure within the Premises as defined in the Lease. The NPS is responsible for maintaining the roadway infrastructure outside and leading up to the Premises. WAPA is responsible for maintaining the electrical infrastructure outside and leading up to the Premises.

Question 37

What is the total eligible amount for historic tax credits, including 20% federal credits, and are additional funds available given the property's location in a U.S. territory?

Answer

The amount of available historic preservation tax credits is determined by the Internal Revenue Service based on the tax laws that are applicable to the Territory of the Virgin Islands.

The federal historic tax credit (HTC) provides a federal tax credit to property owners who undertake a substantial rehabilitation of "certified historic structures" in a business or income-

producing use while maintaining its historic character. The HTC is based on the qualified rehabilitation expenditures.

"Certified historic structures" are properties that are listed individually in the National Register of Historic Places or located in a "registered historic district" and certified by the Secretary of the Interior as contributing to the historic significance of the district. The area that is being offered for lease through this RFQ, and subsequent RFP, is not currently individually listed in the National Register or located within a "registered historic district." The NPS will consider developer requests to evaluate the historic significance of the property, or individual structures, as part of the HTC process.

Further information on the HTC can be found online:
www.nps.gov/subjects/taxincentives/index.htm

Question 38

Which agency will review applications, and who is the regional reviewer?

Answer

The National Park Service will be reviewing and evaluating the responses to this Request for Qualifications, and the final decision regarding qualified offerors will be made by the NPS Regional Director for Interior Region 2. The NPS anticipates that any lease that results from this RFQ, and subsequent RFP, will have a term of more than 10 years, require a mortgage or similar encumbrance, and likely involve some new construction, and will therefore require the approval of the Director of the National Park Service prior to the lease being executed by the deciding official.

Question 39

Are there FEMA restrictions, such as the 50% renovation rule, on developing existing buildings?

Answer

There are no FEMA restrictions on the redevelopment of the leased premises, however, the NPS has adopted the International Code Council (ICC) suite of codes which includes the International Building Code (IBC) and the International Fire Code (IFC). Additionally, the NPS adopted the National Electrical Code (NEC, NFPA 70, published by the National Fire Protection Association). All construction work associated with the leased premises will need to comply with these codes as they relate to new construction and construction on existing buildings.

See Question 78 for additional information.

Question 40

To the extent it is required, can the NPS support us in navigating the CZM and DPNR processes, perhaps by expediting or endorsing our requests, given how challenging they were at YHG?

Answer

The NPS will work with the developer/operator to obtain all of the necessary permits and authorizations to operate the resort as proposed and approved by the National Park Service. The NPS may be limited in the support it can provide as the permitting entities are territory agencies.

Question 41

Is there an existing report assessing the existing historic structures and archaeological sites, particularly in the lodging zone?

Answer

The NPS does not currently have a report assessing the existing structures. The Caneel Bay Historic District nomination was completed in 2012. Since that time two back-to-back category 5 hurricanes have impacted the site. The NPS is currently developing a preliminary report on the significance of the historic structures and will be providing Historic Preservation and Treatment Guidelines during the Request for Proposals process. Information on any archaeological sites within the lodging zone will not be released to the public to protect these sites but may be released to the operator so that they can protect and monitor the sites located within the lodging area.

Question 42

Is the developer responsible for restoring, rehabilitating, and maintaining of structures, amenities, and grounds within the interpretive/engagement zone subject to active National Park Service preservation?

Answer

The developer would not be responsible for managing the interpretive/engagement zones. However, the NPS may be amenable to working with the developer in restoring, rehabilitating, maintaining the structures and servicing the grounds in these areas.

Question 43

Has there been any previous engineering analysis that might address the current building and infrastructure conditions and potential reuse and redevelopment of the existing lodging facilities?

Answer

The NPS intends to conduct a condition assessment on the existing structures and anticipates that the condition assessment will be completed prior to the release of the RFP. Once completed, the NPS will be sharing this information with those selected to respond to the RFP.

The NPS will be providing Historic Preservation and Treatment Guidelines during the Request for Proposals process.

Question 44

What can we anticipate as the local and federal government's involvement in the review and approvals process?

Answer

The developer will be responsible for complying with all applicable laws, including local/territorial laws that may apply to businesses operating on federal property, including, but not limited to, Coastal Zone Management requirements. The NPS is responsible for the federal review and approval of the redevelopment of the premises. Approvals will be subject to NEPA and Section 106 compliance, which will likely involve a period of public comment and local review and approvals that may be required in accordance with the applicable laws.

Question 45

Is there an ALTA, property boundary and/or a topographic survey of the property?

Answer

The NPS is not aware of any property boundary surveys, ALTA or otherwise, or topographic surveys of the property.

Question 46

Is there a survey of the irrigation ditches and/or other existing infrastructure?

Answer

The NPS has not conducted and is not aware of any existing survey of the irrigation ditches or other existing surveys of the existing infrastructure.

Question 47

Will the National Park Service work with the developer on the design and fit of their intended retail area for a cohesive experience?

Answer

The NPS is seeking for each potential developer to present their design ideas in accordance with the goals and objectives outlined in the RFQ, and ultimately in the RFP.

Question 48

What is the long term status of the Zozo restaurant lease?

Answer

The restaurant facilities currently operated as Zozo's will be part of the leased premises and will be vacated prior to the execution of the lease with the future developer/operator.

Question 49

Is there an opportunity for the developer to work with the National Park Service on the restoration of the historic structures?

Answer

See response to question 48 from Batch 2.

The NPS will be providing Historic Preservation and Treatment Guidelines during the Request for Proposals process and will work with the developer to restore and maintain the historic structures that are to be utilized as part of the developers operations.

Question 50

What is the current system for wastewater? Is it reuseable or will the National Park Service expect it to be modernized?

Answer

See response to question 24.

Question 51

What is the age of the water desalination system?

Answer

See response to question 24.

Question 52

Can all existing building footprints be reused?

Answer

Yes. However, the developer will need to make their own assessment of the existing foundations to determine if they are able to support the structures they anticipate will be placed on the foundations and the NPS makes no assurances that the foundations will meet the needs of any future planned development.

Question 53

Is there a list of the historic buildings within the leased property? Do any, or all of them qualify for Historic tax credits? If there is no list of buildings on the historic register available, can you tell us how to determine which if any buildings are considered historic buildings from the National Park Service's point of view for this RFQ? If there are historic buildings that are not on the Historic Register, do they carry the same requirements for restoring or rehabilitating the structure as ones that are on the Register?

Answer

The Caneel Bay Historic District was completed in 2012 and provides a list of historic buildings, structures, objects, and sites. The developer will need to explore if tax credits are applicable in this situation. There are some buildings, structures and objects within the resort area that do not contribute to the historic district and do not require the same management prescription. The NPS will be providing Historic Preservation and Treatment Guidelines during the Request for Proposals process.

Question 54

While we understand that any use that we may want to make of the Day Use Zone area is going to be the subject of another, and separate RFP, is there any guidance you can give us in terms of what structures, if any, would be allowed to be built in that space.

Answer

The Day Use Zones will be authorized under a separate opportunity. The NPS cannot provide any guidance as to what can be built on this space at this time.

Question 55

The RFQ indicates that you do not have a complete inventory of buildings that were, or are, in the leased area, however, do you have any records that you can share that would provide as much information as possible on what buildings you do have information on?

Answer

See response to question 5.

Question 56

Is there a recent property/Topographic Survey?

Answer

See answer to question 45.

Question 57

Are there any construction documents for any of the existing facilities, or ones that existed during the operational period of the resort?

Answer

See response to question 5.

Question 58

Has there been any infrastructure distribution analysis (power, water, wastewater) since the resort was shut down?

Answer

See response to question 24.

Question 59

Is there a historic photographic archive of the original facilities?

Answer

The NPS is not aware of any historic photographic archive of the facilities.

Question 60

Is there a current high water mark survey?

Answer

The NPS is not aware of any high water mark survey for the property.

Question 61

The RFQ indicates that landscaping is considered a part of the contributing element to the historic district. The area has become quite overgrown since it has only been minimally maintained since the resort was closed. How is the developer supposed to know what is expected to be maintained as part of the contributing aspect of the historic district and what is simply overgrown plants? Are there photographs or other materials that would allow us to understand what is original plant material and what is not? In addition, in restoring the landscape to its original condition, what is the mechanism for getting acceptance from the Park Service as to what plants can be removed or pruned, and what plant material can be planted in order to restore the original landscaping environment to the resort?

Answer

NPS has mapped all the remaining plants and landscaping elements that contribute to the Caneel Bay Historic District. This information will be shared during the Request for Proposal (RFP) process. Additionally, NPS will provide Historic Preservation and Treatment Guidelines for the RFP process. Original planting plans from the resort design may be made available during the RFP process.

Question 62

The RFQ indicates that there may be additional parking needed in restoring the resort. Are there designated areas in which this additional parking can be accommodated and what is the maximum amount of additional parking that would be allowed?

Answer

The NPS has not designated any parking areas and respondents should propose parking that is consistent with their redevelopment plans and the goals and objectives stated in the RFQ and subsequent RFP.

Question 63

On the site tour we did not get to see the water treatment plant but were told that it is being operated currently by an outside contractor and supplying all an amount of water that is equal to or exceeds the requirements of the original resort. We were also told that the new developer of the resort could take over operations of the water facility. Who is currently operating the plant, how long is there contract for, and are there provisions for termination of the contract if the developer would like to operate the plant themselves? If the contract can be terminated, what are the conditions under which it can be terminated? Can the new developer assume the current permits and other permissions that have been obtained by the current operator?

Answer

See response to question 24. The Lessee, NPS, and DPNR will need to work through required permits for the water treatment plant.

Question 64

The RFQ indicates that the developer would be allowed to elevate buildings if that is needed to increase the resiliency of the resort. We understand that any modification of the original structures needs to be done in a way that maintains the character of the original resort, but is there any guidance you can give us at this point as to the extent to which elevation would be allowed? That is, is there an overall height restriction on the restoration of the buildings?

Answer

Structures are limited to two stories. Additional guidelines may be implemented to preserve the viewscape.

Question 65

One the site tour we did not get an opportunity to see the wastewater plant and were told that the NPS does not know what condition it is in. Can you give us details as to what technology the plant used when it was in service? And the volume that it was able to handle?

Answer

See response to question 5.

Question 66

The RFQ indicates that any lease will contain language addressing conditions and associated liability, and management responsibilities for any environmental issues that currently exist on the leased property. Can you give us any guidance as to what the NPS is thinking in terms of who would be responsible for the current environmental issues including, but not limited to, your thoughts on the current landfill, the barrels of toxic material at the maintenance area, any further environmental issues identified as the developer begins restoration of the property, and other environmental clean up issues identified?

Answer

Any pre-existing conditions related to hazardous materials within the Leasehold Premises, will be addressed through the LDDA and within the terms and conditions of the final lease. The developer will not be responsible for current environmental issues outside of the Leasehold Premises.

Question 67

Is the land fill still being used, and if so, can it be used to any degree in getting rid of the large amount of debris that will need to be removed from the areas to be restored? If that land fill is not available are there other areas designated for depositing the removal of the debris?

Answer

The landfill is not currently in use. The NPS anticipates removing contaminated material from the landfill site. Its use will not be available until the remediation work is complete. The NPS has not identified specific areas for debris.

Question 68

The RFQ indicates that a noise requirement will need to be met during the construction of the restoration. Can you tell us what that noise requirement is, and what abatement techniques you will allow?

Answer

The Lessee must perform construction operations to minimize noise. Work may be performed between the hours of 8 a.m. to 6 p.m. on weekdays and approved hours on weekends and holidays.

Repetitive and/or intermittent, high-level noise must be permitted only during the daytime and must not exceed the following dB(A) limitations at 50 feet:

<u>Sound Level in dB(A)</u>	<u>Time Duration of Impact Noise</u>
70	More than 12 minutes in any hour
80	More than 3 minutes in any hour

Noise abatement techniques may be proposed for the NPS’s review during the RFP process.

Question 69

The original resort used vernacular “stone, stucco and wood.” Are these materials still quarried/grown/produced on the island?

Answer

These items may be available in limited quantities on St. John. The NPS is not aware of commercial operations for “stone, stucco and wood” on St. John.

Question 70

Is there any information on the previous back of house spaces and capacity? We assume these spaces and the equipment is defunct but would like to understand original capacity of the following 1) laundry 2) kitchen(s) 3) general storage.

Answer

See response to question 5.

Question 71

In order to create more sustainable energy in the resort we would like to consider as much solar as possible. Is it permissible to put solar on the roofs of the renovated buildings or does that present a design issue from the original resort? Is there any land area that could be considered for a solar ground mount project?

Answer

Additions such as solar can be considered as additions to the Caneel Bay Historic District. There are ways to design and/or place solar equipment that does not adversely affect the elements that contribute to an historic property. The National Park Service will provide Historic Preservation and Treatment Guidelines for the RFP process. The catchment basin was identified

in the EA as a flexible development zone and as such could be considered as a potential location for a ground mount solar project.

Question 72

Is open flame fire pits allowed? Is gas allowed? Were there available underground gas lines to the guestroom locations that still might be utilized?

Answer

A limited number of fire pits may be considered. This will need to be coordinated with the NPS's Fire Program. To the best of the NPS's knowledge, gas lines were not run to guestroom locations.

Question 73

If we wanted to create 'glamping' sites, would this have to be part of the 166 room limit?

Answer

Yes, the NPS would consider any glamping sites to be included in the 166 room count.

Question 74

We assume the 166 guestrooms noted is keys and not bedrooms (ie: a two or three bedroom casita counts as one guestroom/key)?

Answer

The total number of bedrooms is 166. If there are two bedrooms in one suite, each bedroom would count toward the 166 maximum.

Question 75

We would develop stewardship programs within our culture but curious if here are any NPS or local/regional programs in place?

Answer

The NPS does not have a specific local or regional stewardship program in place.

Question 76

Was there previous employee housing on the property and if so, what was the set up (dorm rooms? apartments?). and the capacity?

Answer

Dorm style employee housing was provided at one time, but the facilities were repurposed. The NPS is not aware of when this occurred. The respondent can propose employee housing as part of their proposal.

Question 77

Are there any limitations or restrictions on beach frontage and uses? We realize it has to maintain public access but for example, is providing cabana/chaise/umbrella service to our guests on the beach allowed? How about mobile concessions?

Answer

As long as the rental or issuance of equipment to resort guests takes place within the Leasehold Premises, as defined in the RFQ, no additional authorization would be required (e.g. umbrella rentals, snorkeling equipment, etc.). However, if the lessee is interested in setting up facilities (cabanas, chaises/umbrellas) within the Day Use Zones for use by its guests or the general public, additional authorization would be required.

Question 78

Have building codes changed since the Hurricane Maria and Irma in terms of stricter requirements for withstanding certain wind speeds, tide surges, etc.?

Answer

The NPS is not aware of any changes to the building codes since hurricanes Maria and Irma in 2017. The NPS has adopted the International Code Council (ICC) suite of codes which includes the International Building Code (IBC) and the International Fire Code (IFC). Additionally, the NPS adopted the National Electrical Code (NEC, NFPA 70, published by the National Fire Protection Association). All construction work associated with the Leasehold Premises will need to comply with these codes as they relate to new construction and construction on existing buildings.

The developer is responsible for ensuring that all construction complies with the applicable codes, including local requirements that may exist for hurricane resilience and tidal zones development.

The Secretary of the Interior's Standards for the Treatment of Historic Properties (36 C.F.R. Part 68) may apply to structures that are eligible for inclusion on the National Register of Historic Places. The NPS is currently developing a preliminary report on the significance of the historic structures and will be providing Historic Preservation and Treatment Guidelines during the Request for Proposals process.

Question 79

Is there a recycling program on the island that the new resort could participate in or do all of the trash requirements need to be handled by the new owners?

Answer

Aluminum and plastics (1 - PETE, 2 - HDPE, and 5 - PP) are currently collected on the island by Island Green Living. The developer/operator will need to make arrangements with Island Green Living regarding the collection of recyclable items. All recycling and waste disposal is the responsibility of the developer/operator. The NPS does have requirements for construction debris waste recycling, reusing and minimization.

Question 80

If a future new education structure is possible to locate in the Interpretive /Engagement Zone, would select, live, native marine species be permitted to be maintained by an external partner (with recognized international expertise and approval of the NPS) staff biologists for the

purposes of conservation messaging and propagation? Examples could include invertebrates, small reef fish, and aquatic plants.

Answer

This RFQ is for the redevelopment and operation of the Leasehold Premises. Questions about the development and operation of the Interpretive/Engagement Zone are outside of the scope of this opportunity.

Question 81

Will planning and permitting approvals go thru the local municipality, NPS, or both?

Answer

See response to question 32.

Question 82

Is the NPS currently aware of any environmental hazards or contamination on the leasehold premises?

Answer

All of the environmental hazards that the NPS is aware of are included in the documentation associated with the Engineering Evaluation/Cost Analysis (EE/CA) and are located in the Document List at:

www.parkplanning.nps.gov/document.cfm?parkID=412&projectID=100132&documentID=115283.

Question 83

Can NPS confirm that all known hazardous materials on the premises will be removed before executions of the lease?

Answer

The NPS cannot confirm that all known hazardous materials on the Leasehold Premises will be removed before the execution of the lease.

All of the environmental hazards that the NPS is aware of are included in the documentation associated with the Engineering Evaluation/Cost Analysis (EE/CA) and are located in the Document List at:

www.parkplanning.nps.gov/document.cfm?parkID=412&projectID=100132&documentID=115283. While the NPS removed the asbestos containing material debris that was on the landscape, it is possible that additional ACM is still attached to structures in various forms. The NPS has not tested structures and infrastructure for asbestos, lead, nor other hazardous materials.

Question 84

What will be NPS review process thru programing and design?

Answer

The NPS will review and approve construction design documents in accordance with the LDDA (Exhibit C to the RFQ) and the final negotiated lease. Programming review may be subject to NPS review and approval if the programming that is being proposed could potentially have an adverse impact on park resources, the purposes and values of the park area, or programs of the National Park Service.

Question 85

Are there any structures that cannot be removed besides the historic ruins?

Answer

The NPS is currently developing a preliminary report on the significance of the historic structures and will be providing Historic Preservation and Treatment Guidelines during the Request for Proposals process that will identify any structures that cannot be removed.

Question 86

Is a larger pool near the rooms permissible?

Answer

The NPS would consider allowing the developer to relocate and/or increase the size of the pool with the understanding that increasing the size or relocating the pool would require additional compliance and archaeological investigation before approval would be granted.

Question 87

If the Park wants to manage and provide public access to Caneel beach, how will it ensure 24/7 safety with no trespassing to the resort? Also, how will the Park enforce no loud speakers, dogs without leashes, vaping or other drug use, glass containers, trash, and other prohibited items at any time to preserve the clean and peaceful environment needed for a nice resort to be successful? On both days of the tour, all of these issues noted above were observed by tour guests on Caneel and/or Paradise beach.

Answer

The NPS will work with the operator and/or their security on posting and enforcing applicable laws.

Question 88

If the park wants to manage the Caneel dock with public access to the beach, how will the resort have a safe, controlled and beautifully maintained dock so the resort can deliver a consistently beautiful, safe and reliable arrival experience to guests (historically, guests often used the resort ferry and this entrance experience to the Caneel dock was one of their favorite experiences as documented in years of Tripadvisor reviews and personally experienced by some of our team members when the resort was open). Also, a big safety issue with ferries exists if both the swim and dock area are not controlled by the resort almost guaranteeing life-threatening issues with swimmers and snorkelers all over the area. Also, the dock is expensive

to maintain in good condition and monitored 24/7 which only the resort would do. Is another pier allowed at Scotts beach if Caneel beach pier is taken by the Park?

Answer

Additional piers were not included in the EA/FONSI and will not be allowed. While the dock will be managed by the NPS, it will require permit access. Throughout the park the boaters and swimmers coexist with the marked boat channels. The NPS will reinstall the channel at Caneel.

Question 89

How will the Park ensure a safe pathway to the beach for guests during the construction process? Can this be closed during this phase?

Answer

The developer will be responsible for controlling access through the Leasehold Premises during times of construction. With approval from the park, the beach access may be rerouted and/or portions of the Leasehold Premises may be closed to the public to protect the life, health, and safety of visitors to the park's beaches.

Question 90

Repair and Maintenance of Infrastructure: What is the current condition of the existing utility infrastructure, wastewater treatment facility, and desalination plant? What are the estimated costs for repairs or replacements? Please share any current site condition assessments that the Park has done.

Answer

See response to question 3

Question 91

RO and Other Tenants: What is the current lease arrangement between Caneel and the RO tenant? It is our understanding that these lease agreements will terminate when the NPS selects a Lessee and that any future sub-lease agreements will be the responsibility of the Lessee to authorize and administer?

Answer

See response to question 1.

Question 92

EA/FONSI: What process is required to change the existing EA/FONSI plan to optimize guest experience, and how open is the NPS to considering alternative development concepts?

Answer

Any changes to the EA/FONSI would require that the NPS complete a new EA. The current FONSI generally defines the uses that would be allowed in the areas covered by the EA. As long as the redevelopment concept is compatible with the goals and objectives as outlined in the EA/FONSI then it would be permissible. The EA provides that the NPS will need to complete any

additional compliance that may be necessary based on the scope and scale of the proposed redevelopment, including consultations with the State Historic Preservation Office in as outlined in the programmatic agreement that is included in the EA and additional public engagement.

Question 93

Economic Contribution Comparison: Is there data available that compares the economic contributions of day-use visitors, such as cruise ship guests, to those of extended-stay guests at Caneel Bay? How do these contributions affect local businesses differently?

Answer

The NPS is not aware of the existence of this type of comparison data. However, economic data associated with the impact of visitor to national parks on the local economy can be found at www.nps.gov/subjects/socialscience/vse.htm

Question 94

Future Visitor Management Strategies: Are there plans to adjust park visitor management strategies to better balance the needs of both the anticipated increase in day-use guests and overall guest experience for overnight guests at Caneel Bay?

Answer

It is anticipated that the future visitor management of Caneel Bay will align with the FONSI.

Question 95

Overnight Accommodations: What was the rationale for overnight accommodations to be built-out at 166 rooms? How was this determined to be optimal for guest experience and economic viability in the overnight lodging zone?

Answer

Refer to the "Overnight Guest Experience Commensurate with the Site History" section of the EA.

Question 96

Site Inspection: During the Site Visit, an NPS representative noted that the site map and notes referenced would be shared with the attendees; please provide map and narrative?

Answer

Documents are provided with these responses.

Question 97

RFQ. Sec. Process (p. 1): When will the aggregated question responses be published? Will they be published prior to the Intent to Submit deadline of December 6, 2024?

Answer

This is the third and final batch of responses to the submitted questions. Intent to Submit deadline is February 7, 2025.

Question 98

RFQ. Sec. Process (p. 1): To better understand if any of the buildings can be renovated in place, are there any floor plans, surveys, etc. that document the size and types of the existing guestrooms?

Answer

See response to question 5.

Question 99

RFQ. Sec. Process (p. 1): To better understand if any of the buildings can be renovated in place, are there any documentation and/or dimensions of the footprints of the existing buildings on site?

Answer

See response to question 5.

Question 100

RFQ. Sec. Contents: D (p. 22): The RFQ permits responders to propose a term longer than 60 years, however, the RFQ also provides that the NPS has the statutory authority to issue a lease with a maximum term of up to sixty (60) years. Given the statutory restriction of 60 years, what is the likelihood that the proposed term will be extended if justification is provided? If the term cannot be extended, is there an opportunity to negotiate a right of first offer, first right of refusal, or other priority right in favor of the initial leaseholder for a new term? The ability of the initial leaseholder to extend the term or have a priority right to a new term after full performance during the initial term may have a substantial effect on the financial feasibility of restoring and improving the resort.

Answer

While the NPS only has the statutory authority to enter into leases with a maximum term of sixty (60) years, with no preferential right of extension or renewal, the NPS is interested in understanding what term length a developer would need in order to make their redevelopment project financially viable.

Question 101

Site Inspection RFQ. Sec. Environmental Considerations (p. 12): The RFQ lacks specific details regarding the allocation of environmental cleanup responsibilities and liabilities. Additionally, during the site inspection, it was stated that no decision has been made regarding whether or which waste the Lessor would be responsible to dispose. To enable responders to accurately assess and project cleanup costs and associated risks, please provide any details you can about the allocation of responsibilities and liabilities. Please also provide any environmental reports, assessments, or documentation related to any cleanup action conducted to date.

Answer

See response to questions 34 and 83.

Question 102

Exh. D Sample Lease. Section 5.4. Percentage Rent [Optional]: We understand that the NPS is proposing to assess a charge of three percent (3%) on concessions. Please clarify whether the lease will or may include payment of a percentage of gross revenues? If optional, at whose discretion does its inclusion depend—the Lessor's or the Lessee's. If the provision is mandatory, can the NPS disclose the applicable percentage to assist proposers in accurately assessing costs?

Answer

Optional rent provisions will be based on the scope and scale of the redevelopment offer determined to be the best offer under the future Request for Proposals. Optional final rent provisions that may be included in the lease will be negotiated based on the offeror's proposal.

Question 103

Site Inspection; RFQ. Sec. Utilities (p. 11): NPS officials mentioned during the tour that RO and sewage treatment plants are currently operated by others. Does NPS have any information to assist to identify the entity that maintained the facility? Does the NPS have access to the most current TPDES permit? If there is currently no access to the information requested, will it be provided during the RFP process?

Answer

The NPS will provide information regarding the TPDES permit and the operator of the RO plant in the RFP.

Question 104

RFQ, Sec. Buildings and Other Improvements (p. 10-11): Will the developer/lessee be able to expand existing footprints and add a limited number of additional structures on the property, for reasons other than the purposes listed?

Answer

The NPS is open to considering the expansion of existing footprints and the addition of structures for reasons other than the purposes listed. Any proposed expansion must be consistent with the RFQ documents, the EA and the associated FONSI.

Question 105

RFQ. Sec. Adjacent Virgin Islands National Park Programs (p. 8): Will the NPS consider any first right of refusal to the selected developer/lessee in future leases to manage facilities in the Day Use Zones in order to maintain standards in line with the resort?

Answer

In accordance with the NPS laws, regulations, and policies, the NPS does not have the authority to provide a preferential right to an existing lessee for future or existing lease opportunities.

Except as provided for in 36 C.F.R. § 18.9, the Director may not lease property without issuing a request for bids or a request for proposals in compliance with § 18.7 or §18.8.

Question 106

RFQ. Sec. Existing Conditions, Buildings/Facilities (p. 9): Are there As Built documents available for the buildings, including historical ruins and infrastructure?

Answer

See response to question 5.

Question 107

RFQ. Sec. Existing Conditions, Buildings/Facilities (p. 9): Please advise if there are documents/CAD files available for surveys, topographical maps, and tree surveys.

Answer

See response to question 5.